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सं. 52] नई दिल्ली, दिसम्बर 19—दिसम्बर 25, 2010, शनिवार/अग्रहायण 28—पौष 4, 1932
No. 52] NEW DELHI, DECEMBER 19—DECEMBER 25, 2010, SATURDAY/AGRAHAYANA 28—PAUSA 4, 1932

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

संचार मंत्रालय
(डाक विभाग)

कालिकट, 18 नवम्बर, 2010

का.आ. 3106.—केंद्रीय सरकार के विभागीय जाँच (साक्षी उपस्थिति प्रवर्तन एवं दस्तावेजों का प्रस्तुतीकरण) अधिनियम, 1972 (1972 के 18) के तहत खण्ड 4 की उपखण्ड (2) द्वारा प्रदत्त अधिकारों के प्रयोग से यह विनिर्दिष्ट किया जाता है कि श्री पी.के. शिवदासन, सहायक अधीक्षक डाकघर, तलिपरम्बा उपमंडल, तलिपरम्बा, श्री पी.के. कुचिकण्णन, ग्रामीण डाक सेवक शाखा पोस्टमास्टर, कुण्डुतोड के विरुद्ध विभागीय जाँच में उपर्युक्त अधिनियम के खण्ड 4 के उपखण्ड (1) के तहत भारत सरकार द्वारा दिये गये अधिकारों का प्रयोग करने हेतु सक्षम प्राधिकारी हैं।

[संख्या आई एन वी/6-2/06-07]

एच. के. शर्मा, पोस्टमास्टर जनरल
(उत्तरी क्षेत्र)

MINISTRY OF COMMUNICATIONS
(Department of Post)

Calicut, the 18th November, 2010

S.O. 3106.—In exercise of the powers conferred by sub-section (2) of Section 4 of the Departmental Inquires (Enforcement of Attendance of Witnesses and Production of Documents) Act, 1972 (18 of 1972), the Central Government hereby specifies Shri P.K. Sivadasan, Assistant Superintendent of Posts, Taliparamba Sub-division, Taliparamba as an authority to exercise the power conferred on the Central Government by sub-section (1) of Section 4 of the said Act in respect of Shri P.K. Kunhikannan, Gramin Dak

Sevak Branch Postmaster, Kunduthode against whom a departmental inquiry may be held.

[No. INV/6-2/06-07]

H. K. SHARMA, Postmaster General
(Northern Region)

(कृषि अनुसंधान एवं शिक्षा विभाग)

नई दिल्ली, 16 दिसम्बर, 2010

का.आ. 3107.—केन्द्रीय सरकार, कृषि अनुसंधान एवं शिक्षा विभाग, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली 1976 के नियम 10 के उपनियम (4) के अनुसरण में केंद्रीय मत्स्य अनुसंधान संस्थान, हिसार (भा.क.अ. प.) को जिसके 80 प्रतिशत कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है।

[फा.सं. 13-10/2009-हिंदी/308]

विजय सिंह, अवर सचिव

MINISTRY OF AGRICULTURE
(Department of Agricultural Research & Education)
New Delhi, the 16th December, 2010

S.O. 3107.—In pursuance of sub-Rule (4) of Rule 10 of the Official Language (use for official purpose of the Union) Rules 1976, the Central Government, Ministry of Agriculture, Department of Agricultural Research & Education hereby notifies the Central Institute for Research on Buffaloes, (ICAR) Hisar, where more than 80% of staff have acquired the working knowledge of Hindi.

[F. No. 13-10/2009-Hindi/308]

VIJAY SINGH, Under Secy.

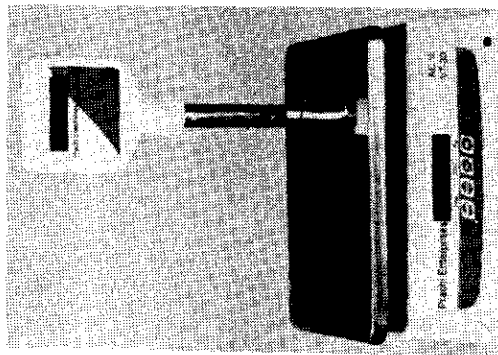
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय
(उपभोक्ता मामले विभाग)

नई दिल्ली, 12 अक्टूबर, 2010

का.आ. 3108.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (176 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स प्राची इंटरप्राइजिज, जे 15, एस ब्लॉक, एमआईडीसी भोसारी, पुणे-411026 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "सीबी-30" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाइप टाइप) के मॉडल का, जिसके ब्रांड का नाम "कैनन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/230 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाइप प्रकार) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

मशीन की बाडी के छेदों में से लिडिड वायर निकाल कर सीलिंग की जाती है और लीड सील लगाई जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री में जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा.तक के "ई" मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(145)/2010]

बी.एन. दीक्षित, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(Department of Consumer Affairs)

New Delhi, the 12th October, 2010

S.O. 3108.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of High accuracy (Accuracy class -II) of Series "CB-30" and with brand name "Cannon" (hereinafter referred to as the said Model), manufactured by M/s Prachi Enterprises, J15, S Block, MIDC Bhosari, Pune, - 411026 and which is assigned the approval mark IND/09/10/230;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with digital indication of maximum capacity of 30 kg. and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternate current power supply.

Figure-1 Model

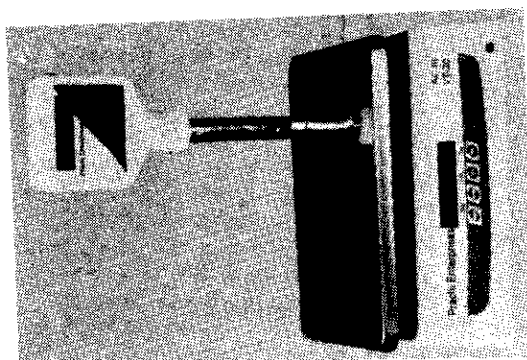


Figure-2 Sealing arrangement

The sealing is done by passing a leaded wire through the holes on the body of the machine and lead seal is fixed. A typical schematic diagram of sealing provision of the model is given above.

A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity upto 50kg. and with number of verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1mg. to 50mg. and with number of verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100mg. or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F.No.WM-21/(145)/2010]

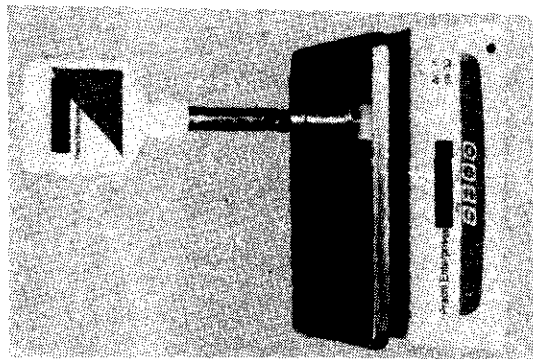
B.N. DIXIT, Director of Legal Metrology

नई दिल्ली, 12 अक्टूबर, 2010

का.आ. 3109.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स प्राची इंटरप्राइजिज, जे 15, एस ब्लॉक, एमआईडीसी भोसारी, पुणे-411026 द्वारा विनिर्मित माध्यम यथार्थता (यथार्थता वर्ग III) वाले “वीटी-30” श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “कैनन” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/231 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्केल की बाड़ी के छंदों में से सीलिंग वायर निकाल कर सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया जाता है, विनिर्मित उसी श्रृंखला के वैसे की मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम -21(145)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th October, 2010

S.O. 3109.—Whether the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class -III) of Series "VT-30" and with brand name "Cannon" (hereinafter referred to as the said Model), manufactured by M/s. Prachi Enterprises, J15, S Block, MIDC Bhosari, Pune- 411026 and which is assigned the approval mark IND/09/10/231;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternative current power supply.

Figure-1 Model

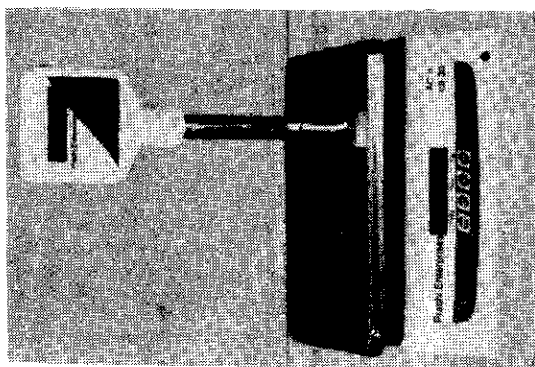


Figure-2 Schematic Diagram of sealing provision of the model.

Sealing is done by passing the sealing wire from the body of the scale through holes. A typical schematic diagram of sealing provision of the model is given above.

A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 1mg. to 2g. and with verification scale interval (n) in the range of 5000 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No.WM-21/(145)/2010]

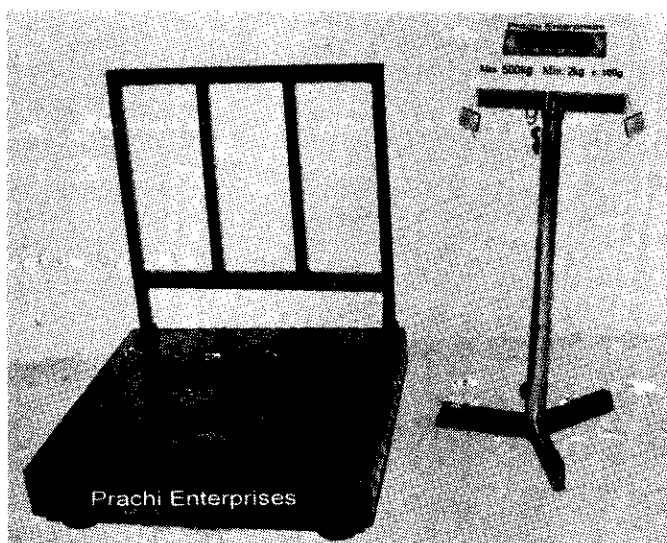
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 12 अक्टूबर, 2010

का.आं. 3110.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स प्राची इंटरप्राइजिज, जे 15, एस ब्लॉक, एमआईडीसी भोसारी, पुणे-411026 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “सीपी-500” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “कैनन” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/232 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) हैं। इसकी अधिकतम क्षमता 500 कि. ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्केल की बाडी के छेदों में से सीलिंग वायर निकाल कर सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे की मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम -21(145) 2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th October, 2010

S.O. 3110.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class -III) of Series "CP-500" and with brand name "Canon" (hereinafter referred to as the said model), manufactured by M/s. Prachi Enterprises, J15, S Block, MIDC Bhosari, Pune- 411026 and which is assigned the approval mark IND/09/10/232;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 500 kg. and minimum capacity of 2Kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternative current power supply.

Figure-1

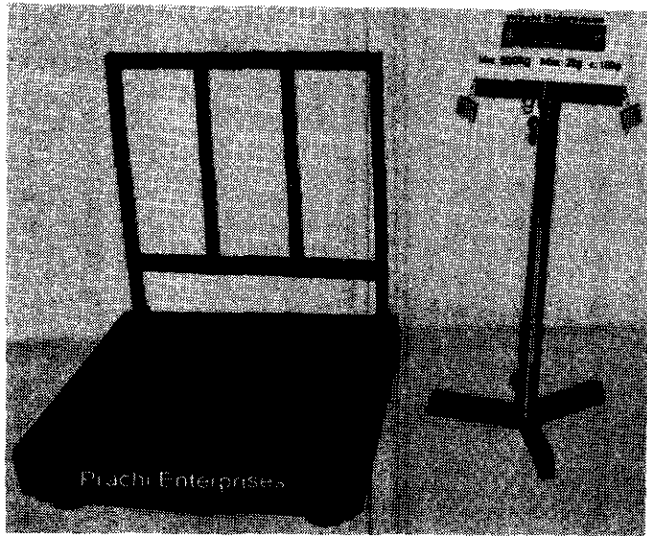


Figure-2 Schematic Diagram of sealing provision of the model.

Sealing is done by passing the sealing wire from the body of the scale through holes. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No.WM-21/(145)/2010]

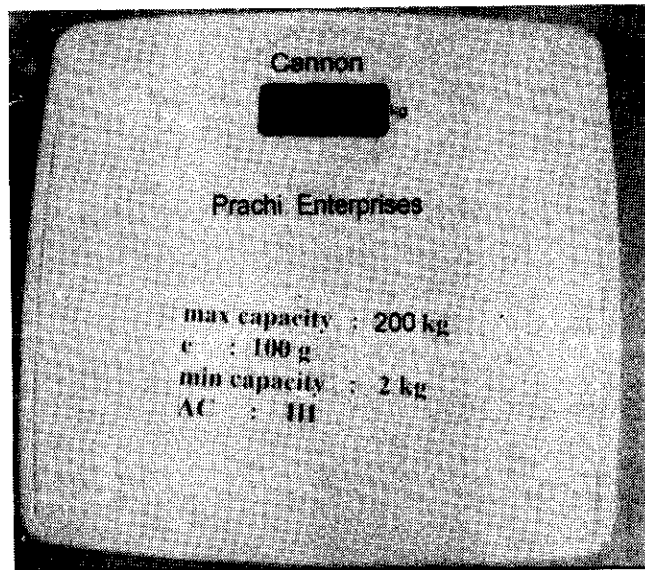
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 12 अक्टूबर, 2010

का.आ. 3111.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स प्राची इंटरप्राइजिज, जे 15, एस ब्लाक, एमआईडीसी भोसारी, पुणे-411026 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III मध्यम वाले "सीपीएस-200" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (व्यक्ति तोलन मशीन) के मॉडल का, जिसके ब्रांड का नाम "कैनन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/233 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (व्यक्ति तोलन मशीन) हैं। इसकी अधिकतम क्षमता 200 कि. ग्रा. है और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्केल की बाड़ी के छेदों में से सीलिंग वायर निकाल कर सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 200 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू.एम.-21(145)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th October, 2010

S.O. 3111.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Electronic Person Weighing Machine) with digital indication of medium accuracy (Accuracy class-III) of series "CPS-200" and with brand name "Cannon" (hereinafter referred to as the said model), manufactured by M/s Prachi Enterprises, J15, S Block, MIDC Bhosari, Pune- 411026 and which is assigned the approval mark IND/09/10/233;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Person Weighing Machine) with a maximum capacity of 200 kg. and minimum capacity of 2kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Display (LCD) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

Figure-1 Model

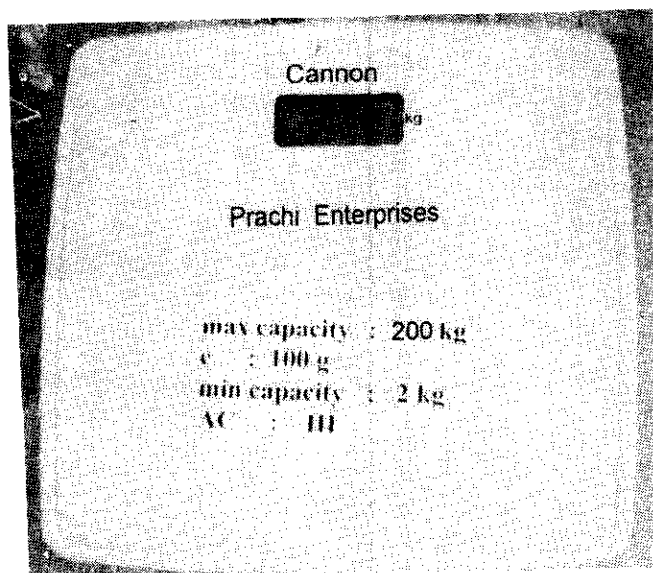


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done by passing the sealing wire from the body of the scale through holes. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 200kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F.No.WM-21(145)/2010]

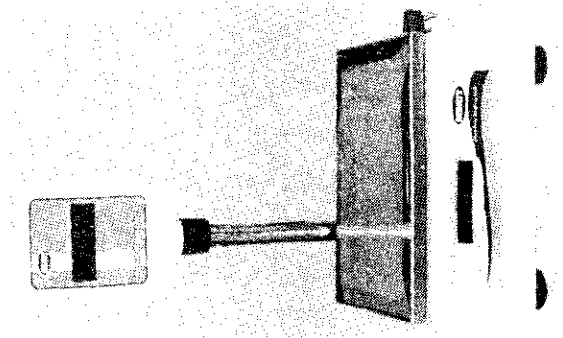
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 22 नवम्बर, 2010

क्रा.अ. 3112.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह सम्भावित है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) वाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा वाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में यथावश्यक यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स न्यू मेरिट वेइंग सिस्टम, नं. 80, डॉ. अब्दुलकलाम स्ट्रीट, राधवेन्द्र नगर, इरंदमकटलै, कुंदराशुर, चेन्नै 600069 द्वारा निर्मित यथावर्था (यथावर्था वर्ग (II) वाले "एनएमटी-234" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) उपकरण का, जिसके ब्रांड का नाम "भरित" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन 3112/2010 समनुदर्शित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी आधिकारिक क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिससे अत्यंत नाशाल व्यक्ततात्मक धारित आधेयतुलन प्रभाव है। प्रकारा उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण का भार 50 हर्ट्ज प्रत्यवर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग बायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले की बायर और टॉप कवर में बने दो छेदों में से सीलिंग बायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्रहारा या योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मैमोरी में डिप स्विच भी दिया गया है।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी मापमान के अनुसार उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथावर्था और कार्यपालन के तोलन उपकरण या यंत्रों जो 1 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं "ई" मान 1×10^3 , 2×10^3 , 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-2101/4-2010]

बी. एन. दीक्षित, निदेशक, विभाग, नई दिल्ली

New Delhi, the 22nd November, 2010

S.O. 3112.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Application of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class -III) of Series "NMT-234" and with brand name "MERIT" (hereinafter referred to as the said model), manufactured by M/s New Merit Weighing System, No. 80, Dr. Abdukkalam Street, Raghavendra Nagar, Irundamkattalai, Kundrathur, Chennai-600069 and which is assigned the approval mark JF-09/10/349;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

Figure-1

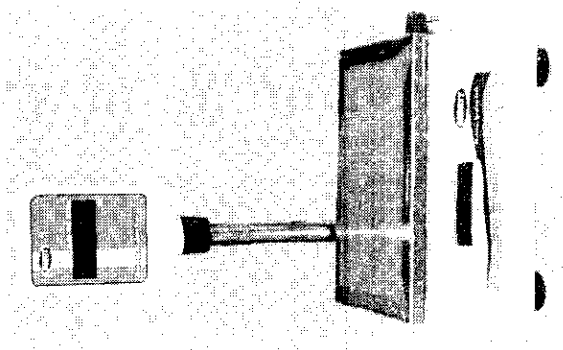


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by the base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card mother board to enable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 1mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the said approved Model has been manufactured.

[F.No.WM-21(226) 2010]

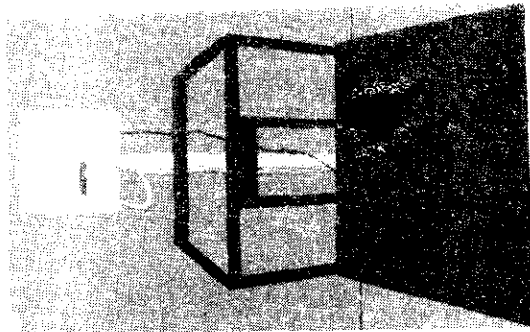
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 22 नवम्बर, 2010

का.आ. 3113.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 66) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स न्यू मेरिट वेइंग सिस्टम, नं. 80, डा. अब्दुलकलाम स्ट्रीट, राधवेन्द्र नगर, इरंदमकटलै, कुंदराथुर, चेन्नै 600069 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एनएमटी 235" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "मेरिट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/350 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार मेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति 2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक पक्षीय योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी कॅलिब्रेशन तक पहुंच की सुविधा है। बाहरी कॅलिब्रेशन तक पहुंच को रोकने के लिए एंटी काइ मरर बोर्ड में डिप स्विच भी दिया गया है।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से त्रिगम्य उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण या होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं "ई" मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक शून्य के समवृत्त्य हैं।

[फा. सं. डब्ल्यू एम- 210/226/2010]

बी. एन. दीक्षित, निदेशक, विभागीय माप विज्ञान

New Delhi, the 22nd November, 2010

S.O. 3113.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class -III) of Series "NMP-235" and with brand name "MERIT" (hereinafter referred to as the said Model), manufactured by M/s New Merit Weighing System, No. 80, Dr. Abdulkalam Street, Raghavendra Nagar, Irundankattalai, Kundrathur, Chennai-600069 and which is assigned the approval mark IND/09/10/350;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 1000 kg. and minimum capacity of 4kg. The verification scale interval (e) is 200 g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternate current power supply.

Figure-1

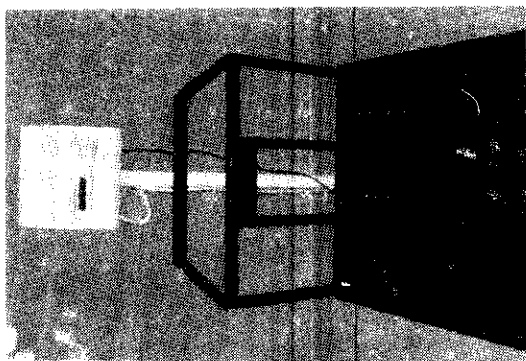


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21/(226)/2010]

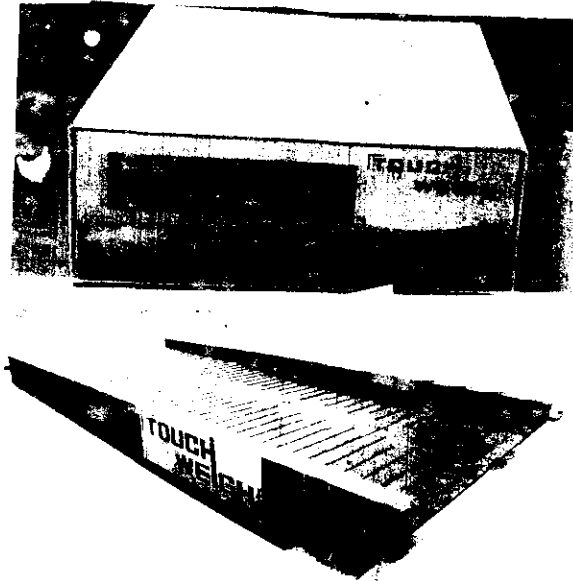
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 22 नवम्बर, 2010

क्र.आ. 3114.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग का अर्थात् में भी उक्त मापक यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में मापक सेवा प्रदान करता रहेगा;

अतः, अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स आर.ए.एम. स्कैल इंडस्ट्रीज, नं. 26, तीसरा क्रॉस, सर मिर्जा इस्माइल नगर, (मिलाथ कालेज के पास), दावनगरे-577001 कर्नाटक द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "आरएसआई-डब्ल्यूबी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) के मॉडल का, जिसके ब्रांड का नाम "टच वे" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/36 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) है। इसकी अधिकतम क्षमता 40 टन और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले के राइट साइड/बैक साइड में सीलिंग की गई है। डिस्पले की बैक प्लेट या टाप कवर के छेद से सील जो जोड़ा गया है, तब सील वायर इन दोनों छेदों में से निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम -21(34)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विभाग

New Delhi, the 22nd November, 2010

S.O. 3114.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Electronic Weighbridge) with digital indication of medium accuracy (Accuracy class -III) of Series "RSI-WB" and with brand name "TOUCH WEIGH" (hereinafter referred to as the said Model), manufactured by M/s R.A.M. Scale Industries, No.26, 3rd cross, Sir Mirza Ismail Nagar (Near Millath College), Davangere-577001 Karnataka and which is assigned the approval mark IND/09/10/36;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge) with a maximum capacity of 40 tonne and minimum capacity of 200kg. The verification scale interval (e) is 10 kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 volts and 50 Hertz alternate current power supply.

Figure-1 Model (Weighbridge)

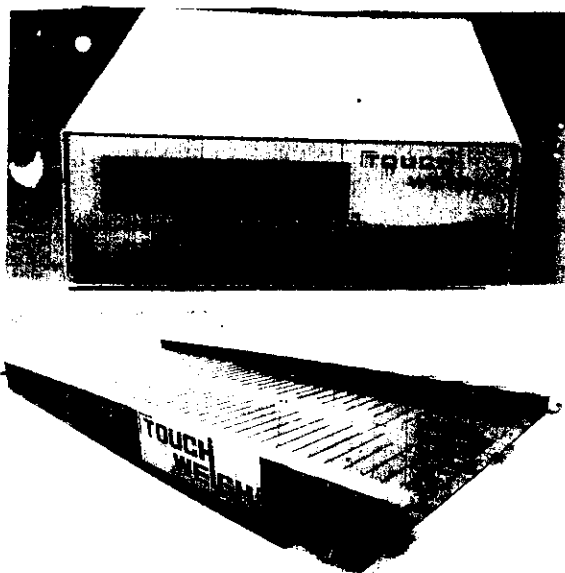


Figure-3 Sealing provision of the indicator of the model

Sealing is done on the right side/back side of display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument, of similar make, accuracy and performance of same series with maximum capacity above 5tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or above and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F.No.WM-21(34)2010]

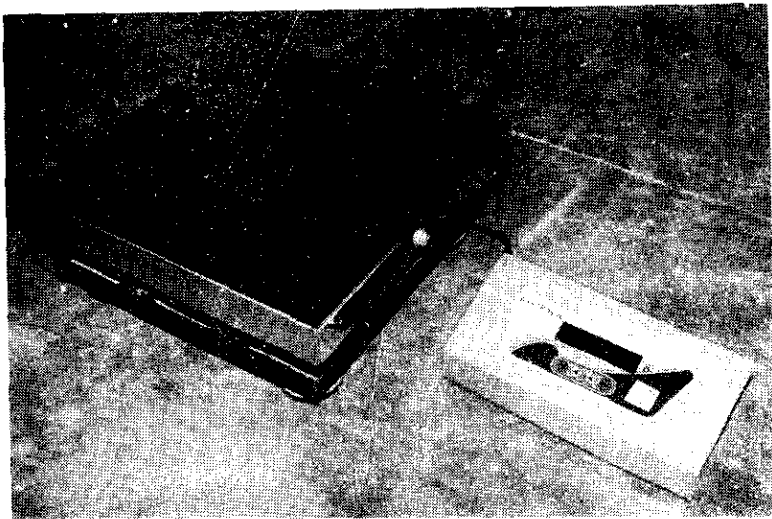
B.N. DIXIT, Director of Legal Metrology

नई दिल्ली, 22 नवम्बर, 2010

का.आ. 3115.—केन्द्रीय सरकार का, विविध प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स विक्टोरियस इंजीनियरिंग वर्क्स, इंडस्ट्रियल एरिया, पाटनवा, रामनगर, चन्दौली डिस्ट्रीक्ट, उत्तर प्रदेश द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "वीएचपी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "फास्टेक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/281 समनुदर्शित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 200 कि. ग्रा. और न्यूनतम क्षमता 1 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 उपकरण के मॉडल का सीलिंग प्रावधान

स्केल की बाडी के होल्स में से सीलिंग वायर निकाल कर सीलिंग की जाती है। मॉडल का सीलबंद करने के उपबंध का एक प्रहरी योजनाबद्ध डायग्राम ऊपर दिया गया है।

बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिसमें उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक, ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम -21 (182) 2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 22nd November, 2010

S.O. 3115.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of High Accuracy (Accuracy class -II) of Series "VIHP" and with brand name "FASTRACK" (hereinafter referred to as the said Model), manufactured M/s. Victorious Engineering Works, Industrial Area, Patanwa, Ramnagar, Chandauli-Distt. U.P. and which is assigned the approval mark IND/09/10/281;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 200kg. and minimum capacity of 1kg. The verification scale interval (e) is 20 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternate current power supply.

Figure-1

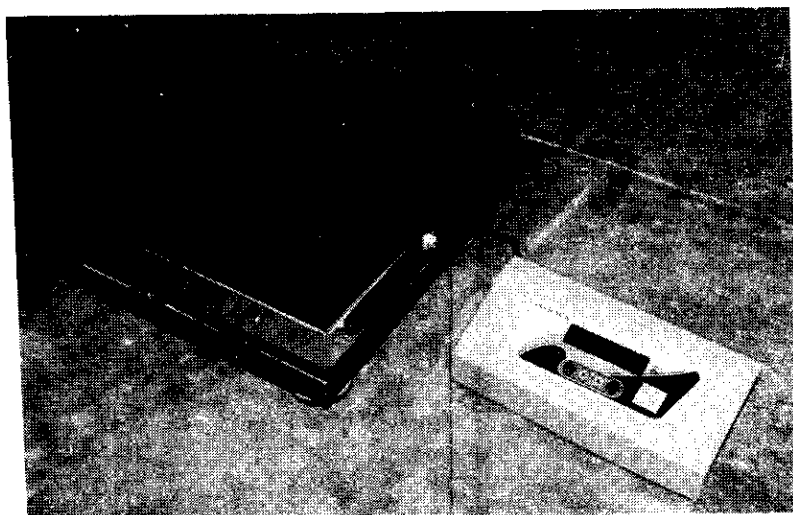


Figure-2 Schematic diagram of sealing provision of the Model

Sealing is done by passing the sealing wire from the body of the scale through holes. A typical schematic diagram of sealing provision of the Model is given above.

A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000 kg. with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21/(182)/2010]

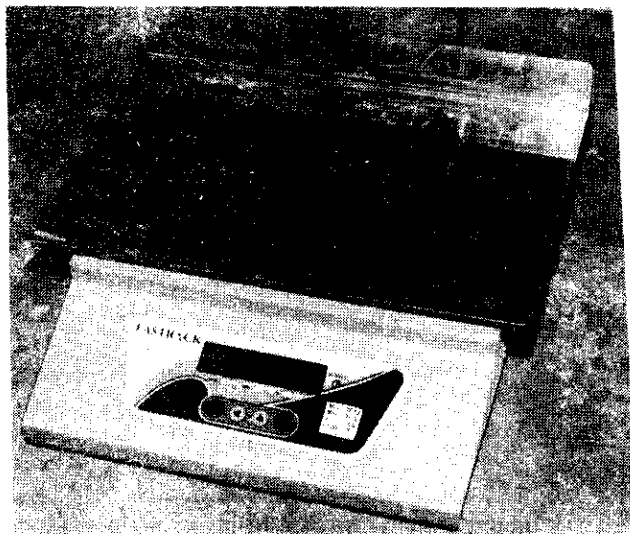
B. N. DIXIT, Director of Legal Metrology

३३ दिवस, 22 नवम्बर, 2010

का.आ. 3116.—कन्द्रीय सरकार का, विदित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह स्थापना करेगा कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा उसके अधिनियम (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की आवश्यकता के कारण यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब कन्द्रीय सरकार, उक्त अधिनियम की भाषा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए, विक्टोरियस इंजीनियरिंग वर्क्स, इंडस्ट्रियल एरिया, पाटनवा, गगननगर, भन्दौली डिस्ट्रिक्ट, उत्तर प्रदेश विनिर्मित उच्च यथार्थता वाले “वीएचटी” शृंखला के अंकक मूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसका कागज का नमूना संलग्न है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) को अपने अनुमोदन बिद् आई एम डी/09/10/280 समनुदेशित द्वारा प्रमाणित प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार गोल अधातवित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। टाइप का भार 30 कि. ग्रा. और न्यूनतम क्षमता 100. ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जो अत्यंत सूक्ष्म व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्पन्न करने वाला (1) न ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। प्रमाणित और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति 2 उपकरण के मॉडल का सीलिंग प्रावधान

स्केल की बाडी के होल्म में से मोल्डिंग बाल निकाल कर मोल्डिंग की जाती है। मॉडल को सीलबंद करने के उपरान्त प्रमाणित योजनाबद्ध डायग्राम ऊपर दिया गया है।

बाहरी केलिब्रेशन तक पहुँच को रोकने से किम एडी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और कन्द्रीय सरकार उक्त अधिनियम की भाषा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्धारित कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण का। 1 मि.ग्रा से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. से अधिक के “ई” मान के लिए 5000 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की आयु तक वाले हैं और “ई” मान 1×10^{-3} , 2×10^{-3} , और 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21/10]

बी. एन. दीक्षित, निदेशक, विभाग ४

New Delhi, the 22nd November, 2010

S.O. 2146 Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table Top type) with digital indication of High Accuracy (Accuracy class -II) of Series "VHT" and with brand name "FASTRACK" (hereinafter referred to as the said Model), manufactured by M/s. Victorious Engineering Works, Industrial Area, Patanwa, Ramnagar, Chandauli-Distt. U.P. and which is assigned the approval mark IND/09/10/280;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table Top type) with maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternative current power supply.

Figure-1

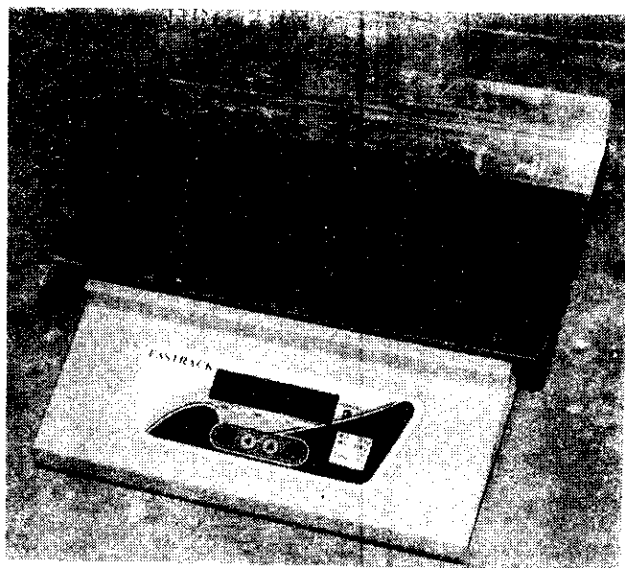


Figure-2 Schematic Diagram of sealing provision of the Model

Sealing is done by passing the sealing wire from the body of the scale through holes. A typical schematic diagram showing the provision of the Model is given above.

A pin switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number, and to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same material with which the said approved Model has been manufactured.

[F.No.WM-21/(182)/2010]

B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 9 दिसम्बर, 2010

का.आ. 3117.—केन्द्रीय सरकार का, विविध प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात यह सम्भावन है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) वाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा वाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैक्स पॉल सिस्टम, शांति कुंज, उदयपुरी रोपरा, पीरू भादरा, तह., रामनगर, जिला नैनीताल (उत्तराखण्ड) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "पीडब्ल्यूएस" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेग्विज टाइप) के मॉडल का, जिसके ब्रांड का नाम "पॉल" है (जिसे इसमें इसके पश्चात उक्त मॉडल कहा गया है) और जिमें अनुमोदन चिह्न आई एन डी.09.10.473 समुद्देशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेग्विज टाइप) है। इसकी अधिकतम क्षमता 50 टन और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि. ग्रा. है। इसमें एक आधेयन्तुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयन्तुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति - 2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले के राइट साइड/वैक साइड में सीलिंग की जाती है। सील के साथ जुड़ हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/भदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} और 5×10^{-6} , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम -21(284)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th December, 2010

S.O. 3117.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Electronic Weighbridge Type) with digital indication of Medium Accuracy (Accuracy class -III) of Series "PWS" and with brand name "PAL" (hereinafter referred to as the said Model), manufactured by M/s Paul System, Shant Kunj, Udaipuri Chopra, Peeru Madara, Tah. Ram Nagar, Distt.- Nainital (U.K.) and which is assigned the approval mark IND/09/10/473;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge Type) with a maximum capacity of 50tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

Figure-1

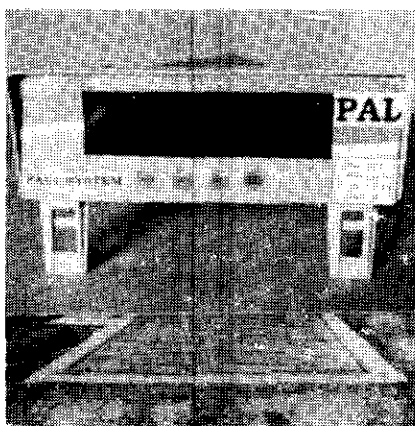


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the right side/back side of the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5tonne and up to 200tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or above and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21 (284) 2010]

B. N. DIXIT, Director of Legal Metrology

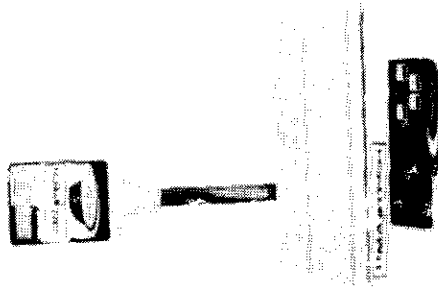
नई दिल्ली, 9 दिसम्बर, 2010

का.आ. 3118.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह सत्यापन प्रमाणित कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का (10) तथा माप मानक अधिनियम, 1987 (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अद्य, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए, कि उमा मेकैनिक्कल वर्क्स, 39, के पी एन कालोनी, 5वीं स्ट्रीट, तिरुपुर-641601 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "उमा टैक" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "उमा टैक" है (जिसे उमा टैक इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/481 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र प्रदान करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका प्रयोग केवल व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 220 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के तारों को टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक चक्राकार डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/पास को रोकने का स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करता है कि उक्त मॉडल के अनुमोदन के इम प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी मापमान पर ही उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरणों को 1 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता के लिए "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21/09/2010/481]

बी. एन. दीक्षित, निदेशक, विधिक, माप मानक

New Delhi, the 9th December, 2010

S.O. 3118.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of Medium Accuracy (Accuracy class -III) of Series "UMT" and with brand name "UMA TECH" (hereinafter referred to as the said Model), manufactured by M/s Uma Mechanical Works, 39, P.N. Colony, 5th Street, Tirupur-641601 and which is assigned the approval mark IND/09/10/481;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top Type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternative current power supply.

Figure-1

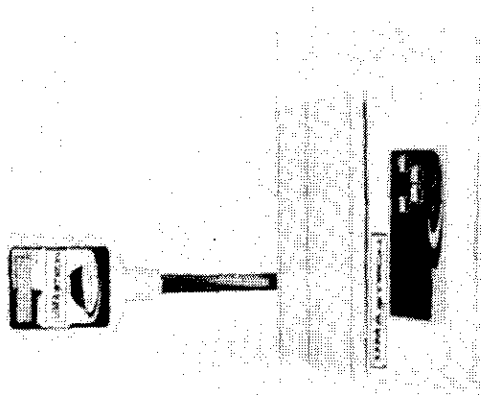


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 1mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F. No.WM-21/(292)/2010]

B. N. DIXIT, Director of Legal Metrology

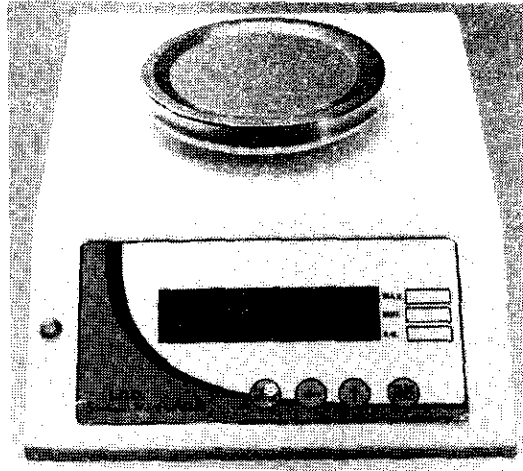
नई दिल्ली, 9 दिसम्बर, 2010

का.आ. 3119.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स एल एन डी इंस्ट्रूमेंट्स, प्लॉट सं. 198, संतोषीमाता मंदिर के नजदीक, कमलानगर, कुशाईगुडा, ई सी आई एल पोस्ट, हैदराबाद-500062 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "एलएनडीएमटीटी" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "एल एन डी" है (जिसमें इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसमें अनुमोदन चिह्न आई एन डी/09/10/372 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित तोलन अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 300 ग्रा. और न्यूनतम क्षमता 200 मि. ग्रा. है। सत्यापन मापमान अंतराल 10 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लाईट इमिटिंग डायोड तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



डिस्प्ले के बोर्डी से वायर डालकर डिस्प्ले पर सील किया जाता है। सील को बेस प्लेट और डिस्प्ले के टॉप कवर से पूरी तरह जोड़ा गया है, उसके बाद सील वायर को सील से जोड़े जो इन दो छेदों से निकालते हैं। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाचित्र टायग्राम रूपर दिया गया है।

उपकरण में बाहरी कैलिब्रेशन तक पहुंच की सुविधा है। बाहरी कैलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिमाता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे की मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम -21(238)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th December, 2010

S.O. 3119.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of High accuracy (Accuracy class -II) of series "LNDMTT" and with brand name "LND" (hereinafter referred to as the said model), manufactured by M/s LND Instruments, Plot No 198, Near Santhoshimatha Temple, Kamalanagar, Kusaiguda, ECIL Post, Hyderabad-500062 and which is assigned the approval mark IND/09/10/372;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top Type) with a maximum capacity of 300g. and minimum capacity of 200mg. The verification scale interval (e) is 10mg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternative current power supply.

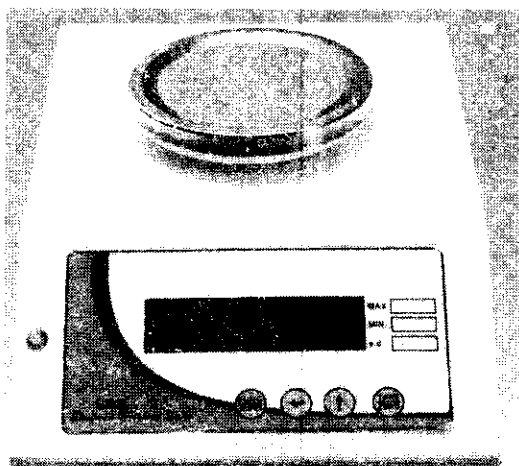


Figure-2 Schematic Diagram of sealing provision of the Model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F. No.WM-21/(238)/2010]

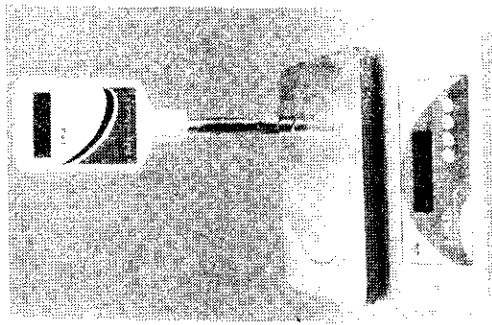
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 9 दिसम्बर, 2010

का.आ. 3120.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह स्पष्ट हो कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) वाट तथा माप मानक अधिनियम, 1976 (1976 का 60) और वाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में यह यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एल एन डी इंस्ट्र्यूमेंट्स, प्लॉट सं. 198, संतोषीमाता मंदिर के नजदीक, कमलानगर, कुशाईगुडा, ई सी आई पोस्ट, हैदराबाद, तेलंगाना, द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग III) वाले “एलएनडीटी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “एल एन डी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसका प्रमाण पत्र आई एन डी/09/10/373 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विद्युत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी प्रमाण क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। इसका सत्यापन मापमान अंतराल 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है, जिसका प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लार्ज इमिटिंग डायोड तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



डिस्प्ले की बाँड़ी से वायर डालकर डिस्प्ले पर सील किया जाता है। सील को बेस प्लेट और डिस्प्ले को टोप कवर से हटाकर खोला गया है, उसके बाद सील वायर को सील से जोड़ें जो इन दो छेदों से निकालते हैं। मॉडल को सीलबंद करने के उपबंध का एक प्रमाण पत्र सत्यापन डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए. डी. काई बटन पर एक डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह स्पष्ट करती है कि मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे इस मॉडल मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे की मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे। का.आ. 3120 के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के रेंज में सत्यापन के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले दो प्रकार के मॉडल 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[का. सं. डब्ल्यूएम/10/373/2010]

बी. एन. दीक्षित, सचेष्टक, विनिर्माण प्रमाण पत्र

New Delhi, the 9th December, 2010

3 Q. 3120.—Whether the Central Government, after considering the report submitted to it by the prescribed authority is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of Medium accuracy (Accuracy class -III) of Series "LNDTT" and with brand name "LND" (hereinafter referred to as the said Model), manufactured by M/s. LND Instruments, Plot No 198, Near Santhoshimatha Temple, Kamalanagar, Kushaiguda, ECIL Post, Hyderabad-500062 and which is assigned the approval mark, IND-09/10/373;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternative current power supply.

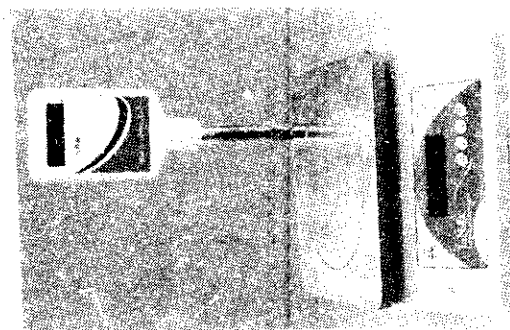


Figure-2 Schematic Diagram of sealing provision of the Model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by the base plate & top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 1mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved model has been manufactured.

[F.No.WM-21/(238)/2010]

B. N. DIXIT, Director of Legal Metrology

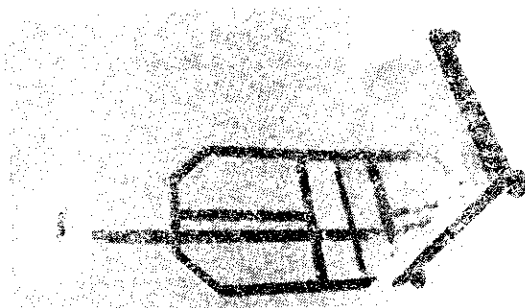
नई दिल्ली, 9 दिसंबर, 2010

क्र.आ. 3121.—केन्द्रीय सरकार या, उक्त प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने की परवाह वह भंगवान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति संख्या) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों से अनुत्पन्न है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में जो उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उद्भूत सेवा प्रदान करता रहेगा:

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैमसे एल एन डी इंस्ट्र्यूमेंट्स, प्लाट सं. 198, सतारीपाड़ा मंदिर के नजदीक, कामलाजार, कुशाईगुडा, ई सी आई एल पोस्ट, हैदराबाद-500062 द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-11) वाले "एलएनडीपीएफ" शृंखला के अंकक सूचक सहित अस्वचालित तोलन उपकरण (युनिलैब्रल टाइप) के मॉडल का, जिसके ब्रांड का नाम "एल एन डी" है (जिसे इनमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/374 सम्बन्धित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृत गैज प्रकार का भार सेल आधारित अस्वचालित तोलन (बनेटकार्प टाइप) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्र. है। इसका सत्यापन मापमान अंतराल 200 ग्र. है। इसमें एक अभिवर्तन युक्त है जिसका शून्य प्रतिशत व्यक्ततात्मक क्षारित आसन्नता प्रदान है। लार्ड इंगेडिंग डायग्राम तोलन परिणाम सुपरिचित करता है। मापकरण 10 - बोल्ट और आ. इकाई प्रत्यक्षता द्वारा विद्युत प्रदान पर कार्य करता है।

आकृति-1



डिस्क की बॉडी से वायर ड्राइकर डिस्क पर सील किया जाता है। सील को बेस प्लेट और डिस्क के टोप कवर से घेरे गए जोड़ा गया है, उसके बाद सील वायर को सील से जोड़ें आ इन दो छेदों से निकालते हैं। मॉडल को सीलबद्ध करने के उद्देश्य का एक प्रमुख शोलाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी कॉलिब्रेशन तक पहुंच की सुविधा है। बाहरी कॉलिब्रेशन तक पहुंच को रोकने के लिए ए/डी स्टांड पर आई में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिसमें उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के जैसे की मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्र. या उससे अधिक "ई" मान के लिए 500 से 10,000 तक के गैज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-4} , 2×10^{-4} या 5×10^{-4} के हैं, जो घनत्वक या क्रान्तिक पूर्णक शून्य के समतुल्य हैं।

[फा. सं. इन्स्ट्रू. 21(238)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th December, 2010

S.O. 3121.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform Type) with digital indication of Medium Accuracy (Accuracy class -III) of Series "LNDPF" and with brand name "LND" (hereinafter referred to as the said Model), manufactured by M/s. LND Instruments, Plot No. 198, Near Santhoshimathia Temple, Kamalanagar, Kushaiguda, ECIL Post, Hyderabad-500062 and which is assigned the approval mark IND/09/10/374;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 1000kg. and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternative current power supply.

Figure-1

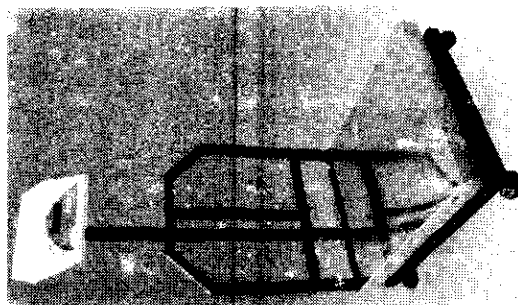


Figure-2 Schematic Diagram of sealing provision of the Model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the Model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21/(238)2010]

B. N. DIXIT, Director of Legal Metrology

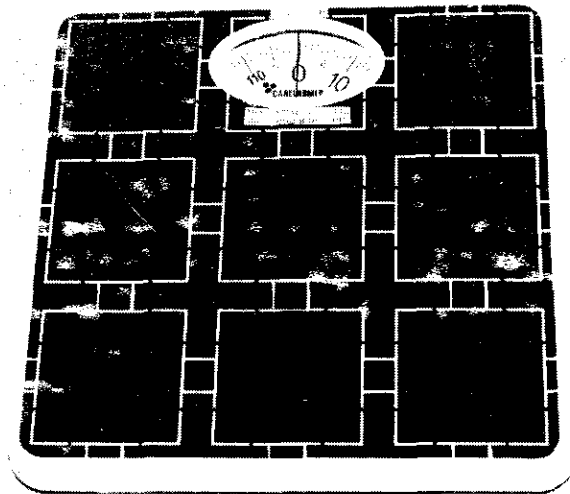
बर्ड दिल्ली, 9 दिसम्बर, 2010

का.आ. 3122.—केंद्रीय सरकार का, विभिन्न प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के उपरान्त यह घोषणा की जाती है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) वाट और माप मानक अधिनियम, 1976 (1976) का (अ) विभाग (अ) अध्याय, मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की घोषणा कि मॉडल को प्रयोग में लाया जा सकता है। उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में प्रयोग में आना प्रमाणित करता रहेगा।

उक्त मॉडल केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मॉडल कैप्टन लेबोरेट्रिज एंड मेडिकल सप्लायर्स, सी-19, फेकेशनल इंडस्ट्रियल एस्टेट, पटपटगंज इंडस्ट्रियल एरिया, दिल्ली-110092 द्वारा विनिर्मित साधारण यथार्थता (यथार्थता वर्ग III) वाले "सी एल एम एस" श्रृंखला के अस्वचालित तोलन उपकरण (मैकेनिकल व्यक्ति तोलन मशीन) का मॉडल का, जिसके ब्रांड का नाम "कैप्टनलैबोरेट्रिज" है (जिसे इसमें इसके पश्चात उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/474 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल स्प्रिंग सिद्धांत पर आधारित मैकेनिकल अस्वचालित तोलन उपकरण (मैकेनिकल व्यक्ति तोलन मशीन) है। इसकी अधिकतम क्षमता 120 कि. ग्रा. और न्यूनतम क्षमता 10 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 कि.ग्रा. है।

आकृति-1



आकृति-2 मॉडल के सीलिंग प्रावधान का डायग्राम

उपकरण की बाड़ी पर दिए गए छेदों के माध्यम से लीड और सील तार लगाकर सीलिंग की जाती है। कपटपूर्ण उपयोग को रोकने के लिए मशीन को खोले जाने से रोकने के लिए सील लगाई जाती है। मॉडल के सीलिंग प्रावधान का स्कीमवार डायग्राम ऊपर दिया गया है।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, विनिर्मित उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के जैसे की मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 100 से 1000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 150 किलोग्राम तक की अधिकतम क्षमता वाले हैं "ई" मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(287)/2010]

बी.एन. दीक्षित, निदेशक, विधिक माप विभाग

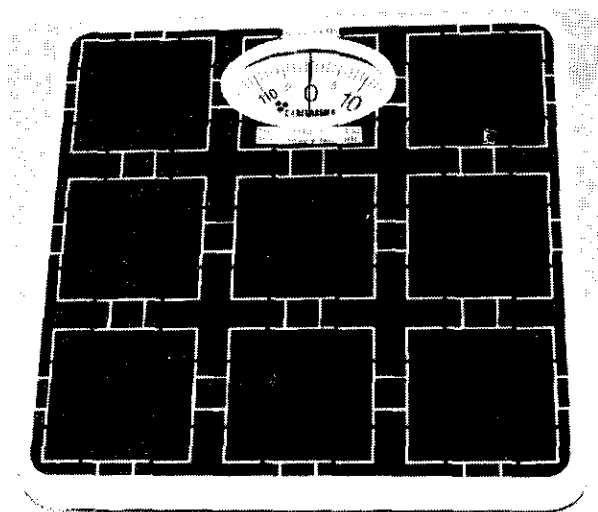
New Delhi, the 9th December, 2010

S.O. 3122.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Mechanical Person Weighing Machine) of Ordinary accuracy (Accuracy class -III) of Series "CLMS" and with brand name "CARELABMED" (hereinafter referred to as the said model), manufactured by M/s Care Laboratory's and Medical Supplies, B-19, Functional Industrial Estate, Patparganj Industrial Area, Delhi-110092 and which is assigned the approval mark IND/09/10/474;

The said model is the principal of spring based non-automatic weighing instrument (Mechanical Person Weighing Machine) with a maximum capacity of 120kg. and minimum capacity of 10kg. The verification scale interval (e) is 1kg.

Figure-1 Model



Lower Side of the Model

Figure-2 Schematic Diagram of sealing provision of the model

Sealing can be done by applying lead & seal wire through the holes provided on the body of the instruments. Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 150kg. with verification scale interval (n) in the range of 100 to 1,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[E.No.WM-21 (287)2010]

B.N. DIXIT, Director of Legal Metrology

नई दिल्ली, 9 दिसम्बर, 2010

क्र.आ. 3123.—केन्द्रीय सरकार का, विहित अधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) वाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा वाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के अंतर्गत से अनुमोदित हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करेगा:

अतः उक्त केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैगसे कोली इंटरनेशनल वेइंग, प्रकाश भवन, बैंक कारपोरेशन रोड, मोरीनगर, जिला गाजियाबाद-201204 उत्तर प्रदेश द्वारा विनिर्मित मध्यम यथार्थता यथार्थता वर्ग III वाले “यूएसबी 01” श्रृंखला के अंतर्गत सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेजिंग टाइप) के मॉडल का, जिसके ब्रांड का नाम “कोली” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन टी 09/10/407 सम्पन्नदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेजिंग) है। इसकी अधिकतम क्षमता 50 टन और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति 2 मॉडल को सीलिंग करने का योजनाबद्ध कार्यक्रम।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले के राइट साइड/बैंक साइड में सीलिंग करी जाती है। सीलिंग वायर हटाने पर डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। डिस्पले को मोलबंद करना है उपकरण का एक प्रमुखी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए. टी. काट मस मजबूत डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिसमें उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी जिनमें जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 से 200 टन तक की अधिकतम क्षमता वाले है “ई” मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एस 21/(249)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th December, 2010

S.O. 3123.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Weighbridge Type) with digital indication of Medium accuracy (Accuracy class -III) of Series “USB 01” and with brand name “KELI” (hereinafter referred to as the said model), manufactured by M/s. Keli International Weighing, Prakash Bhawan, Bank Colony, No. 4, Modinagar Dist. Ghaziabad-201 204, U.P. and which is assigned the approval mark IND/09/10/407;

The said model is strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge Type) with a maximum capacity of 50 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



Figure—2 Schematic Diagram of sealing provision of the model.

Sealing is done on the right side/back side of the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or above and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21/(249)/2010]

B. N. DIXIT, Director of Legal Metrology

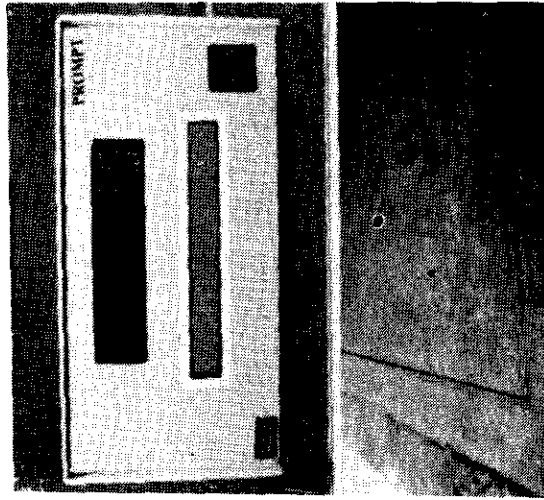
नई दिल्ली, 9 दिसम्बर, 2010

का.आ. 3124.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976(1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स आर्बिट्रान इंटरप्राइज, ई-120, इलैक्ट्रॉनिक जोन, सेक्टर-26, गांधी नगर, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "पीआरडब्ल्यूबी-5" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलैक्ट्रॉनिक वेब्रिज टाइप) के मॉडल का, जिसके ब्रांड का नाम "प्रोम्प्ट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/399 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलैक्ट्रॉनिक वेब्रिज) है। इसकी अधिकतम क्षमता 50 टन और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

स्केल की बाड़ी में से सीलिंग वायर निकाल कर स्केल के राइट साइड/लेफ्ट साइड में सीलिंग की जाती है। सील के साथ जुड़े हुए डिम्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुँच की सुविधा है। बाहरी केलिब्रेशन तक पहुँच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्मिता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एम -2/(245)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

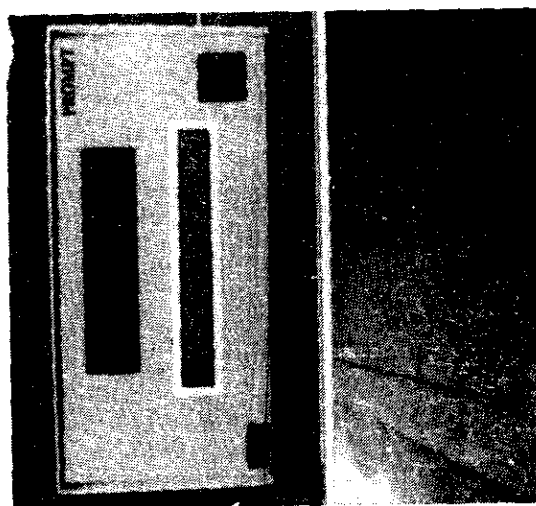
New Delhi, the 9th December, 2010

S.O. 3124.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Weighbridge Type) with digital indication of Medium accuracy (Accuracy class -III) of Series "PRWB-5" and with brand name "PROMPT" (hereinafter referred to as the said model), manufactured by M/s. Orbitron Enterprise, E-120, Electronic Zone, Sector 26, Gandhinagar, Gujarat and which is assigned the approval mark IND/09/10/399;

The said model is strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge Type) with a maximum capacity of 50 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1



Figure—2 Schematic Diagram of sealing provision of the model.

Sealing is done on the right side/back side of the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate & top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or above and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F. No. WM-21/(245)/2010]

B. N. DIXIT, Director of Legal Metrology

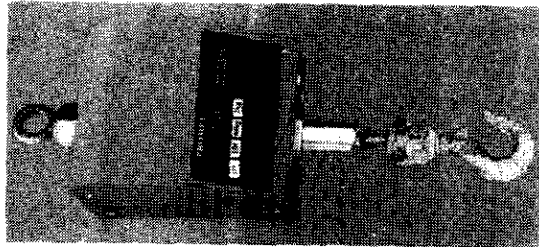
नई दिल्ली, 9 दिसम्बर, 2010

का.आ. 3125.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि मापन प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स आर्बिटन इंटरप्राइज, ई-120, इलेक्ट्रॉनिक जोन, सेक्टर-26, गांधी नगर, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “पीआरसी-10” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (क्रैन टाइप) के मॉडल का, जिसके ब्रांड का नाम “प्रोम्प्ट” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/400 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (क्रैन प्रकार) है। इसकी अधिकतम क्षमता 10000 कि.ग्रा. और न्यूनतम क्षमता 40 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2—मॉडल के इंडीकेटर का सीलिंग प्रावधान।

स्केल की बाडी में से सीलिंग वायर निकाल कर डिस्प्ले की राइट साइड/लेफ्ट साइड में सीलिंग की जाती है। सील के साथ जुड़े दो छेदों में से सील वायर निकाली जाती है जो सील से जुड़ी है। मॉडल के सीलिंग प्रावधान का स्कीमवार डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए.डी.कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्मित द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 30 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू.एम.-21/(245)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th December, 2010

S.O. 3125.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Crane Type) with digital indication of Medium accuracy (Accuracy class-III) of Series "PRC-10" and with brand name "PROMPT" (hereinafter referred to as the said model), manufactured by M/s. Orbitron Enterprise, E-120, Electronic Zone, Sector 26, Gandhinagar, Gujarat and which is assigned the approval mark IND/09/10/400;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Crane Type) with a maximum capacity of 10000kg and minimum capacity of 40kg. The verification scale interval (e) is 2kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

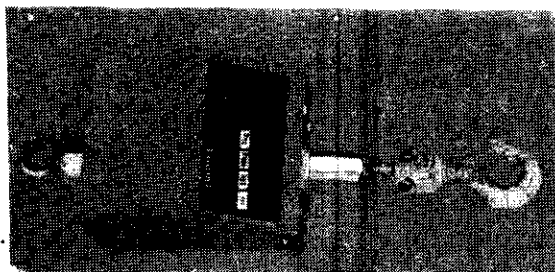


Figure-2—Sealing arrangement.

Sealing is done on the right side/left side of the display by passing sealing wire from the body of the display. The seal is connected by seal wire passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card mother board to disable access to external calibration.

The Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity range of 50kg and upto 30 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21/(245)/2010]

B. N. DIXIT, Director of Legal Metrology

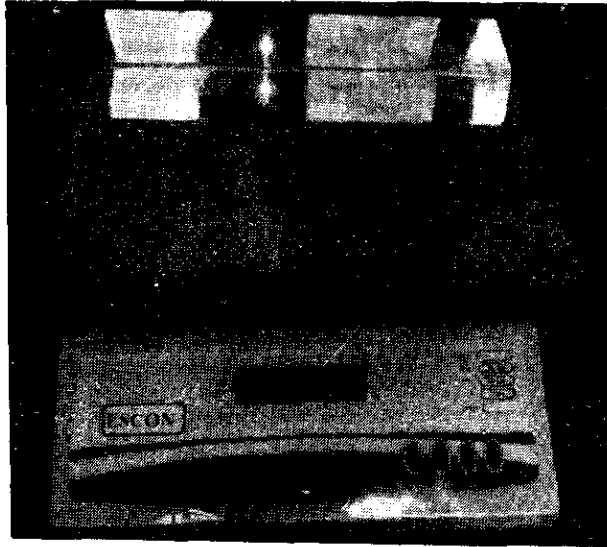
नई दिल्ली, 9 दिसम्बर, 2010

का.आ. 3126.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स इस्कॉन इंडिया, 1245/17, मेहता बिल्डिंग, रेलवे रोड, रोहतक (हरियाणा) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले “ई आई टी” श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “इस्कान” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/222 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है ;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 उपकरण के मॉडल का सीलिंग प्रावधान

स्कैल की बाडी के होल्स में से सीलिंग वायर निकाल कर सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(143)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th December, 2010

S.O. 3126.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of High Accuracy (Accuracy class -II) of Series "EIT" and with brand name "ESCON" (hereinafter referred to as the said model), manufactured by M/s Escon India, 1245/17, Mehta Building, Railway Road, Rohtak (Haryana) and which is assigned the approval mark IND/09/10/222;

The said model is a strain gauge type load cell based non-automatic weighing instrument (TableTop Type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

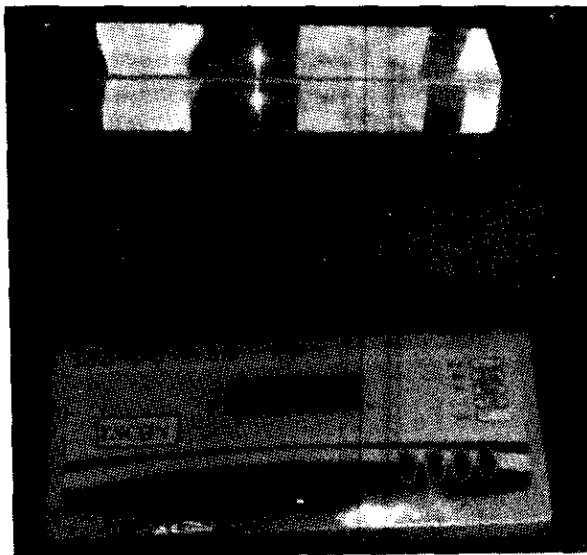


Figure-2—Schematic Diagram of sealing provision of the Model

Sealing is done by passing the sealing wire from the body of the scale through holes. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21(143)/2010]

B. N. DIXIT, Director of Legal Metrology

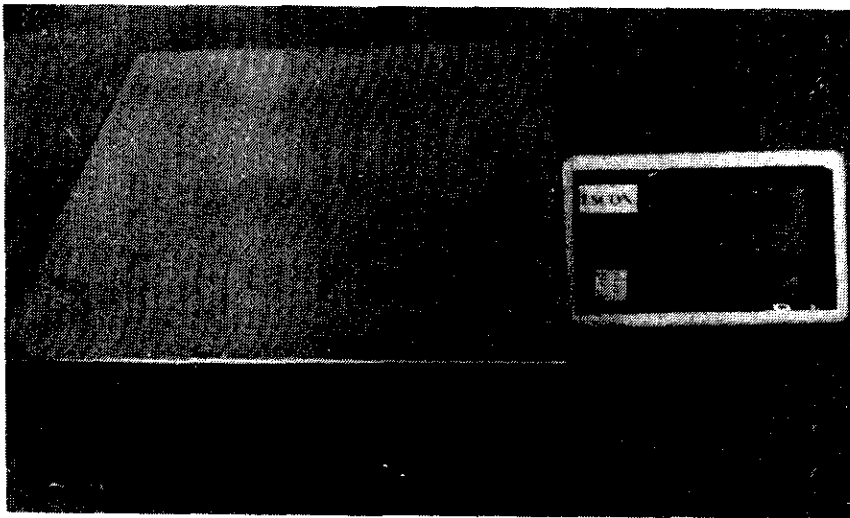
नई दिल्ली, 9 दिसम्बर, 2010

का.आ. 3127.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स इस्कॉन इंडिया, 1245/17, मेहता बिल्डिंग, रेलवे रोड, रोहतक (हरियाणा) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “ईआईपी” श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के माडल का, जिसके ब्रांड का नाम “इस्कान” है (जिसमें इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/223 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त माडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 1 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 उपकरण के मॉडल का सीलिंग प्रावधान

स्केल की बाडी के होल्स में से सीलिंग वायर निकालकर सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्मिता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम -21(143)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th December, 2010

S.O. 3127.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform Type) with digital indication of medium Accuracy (Accuracy class -III) of series "EIP" and with brand name "ESCON" (hereinafter referred to as the said model), manufactured by M/s. Escon India, 1245/17, Mehta Building, Railway Road, Rohtak (Haryana) and which is assigned the approval mark IND/09/10/223;

The said model is strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 200kg and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

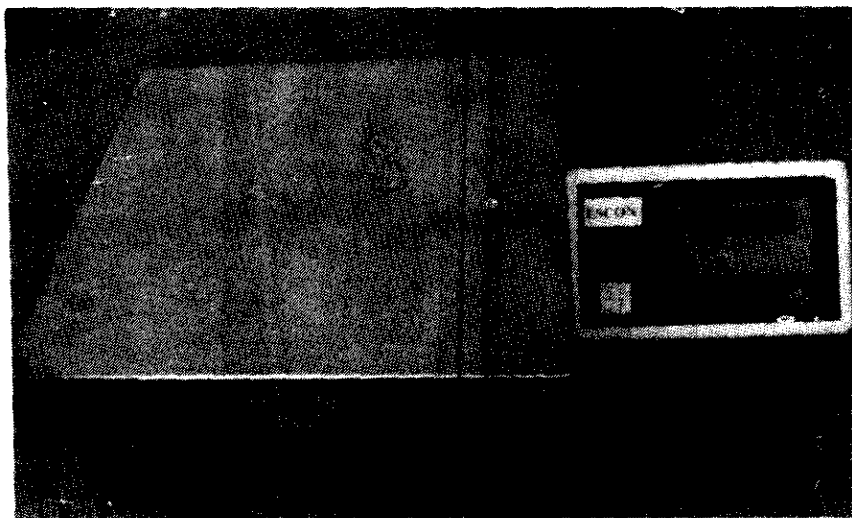


Figure-2- Schematic Diagram of the sealing provision of the model

Sealing is done by passing the sealing wire from the body of the scale through holes. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21(143)2010]

B. N. DIXIT, Director of Legal Metrology

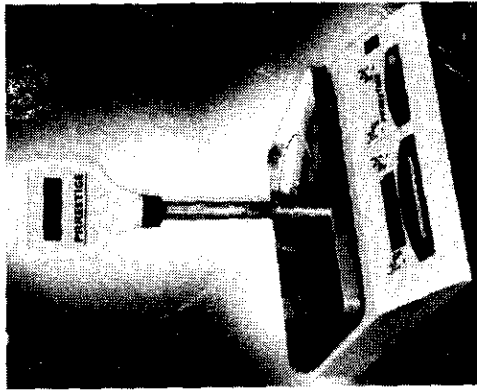
नई दिल्ली, 14 दिसम्बर, 2010

का.आ. 3128.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स वेंकटचलम, 590, वाइजल स्ट्रीट, कोयम्बतूर-641001 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “टीटी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम “प्रिस्टिज” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/414 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गैज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्मिता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(254)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th December, 2010

S.O. 3128.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy class -III) of series "TT" and with brand name "PRESTIGE" (hereinafter referred to as the said Model), manufactured by M/s. Venkatachalam, 590, Vysial Street, Coimbatore-641001 and which is assigned the approval mark IND/09/10/414;

The said Model is strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

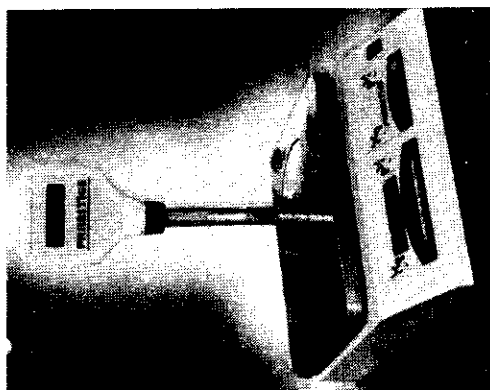


Figure-2- Schematic Diagram of the sealing provision of the Model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the Model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 1mg. to 2 mg. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21/(254)2010]

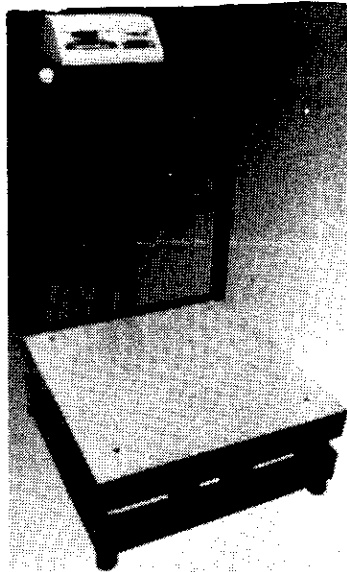
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 14 दिसम्बर, 2010

का.आ. 3129.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स वेंकेटाचलम, 590, वाइजल स्ट्रीट, कोयम्बतूर-641001 द्वारा विनिर्मित माध्यम यथार्थता (यथार्थता वर्ग III) वाले "पीएफ-" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "प्रिस्टिज" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/415 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति - 2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के ब्रेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे की मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^6 , 2×10^6 , 5×10^6 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम -21(254)/2010]

बी.एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th December, 2010

S.O. 3129.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class -III) of Series "PF" and with brand name "PRRESTIGE" (hereinafter referred to as the said model), manufactured by M/s Venkatachalam, 590, Vysial Street, Coimbatore-641001 and which is assigned the approval mark IND/09/10/415;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

Figure-1

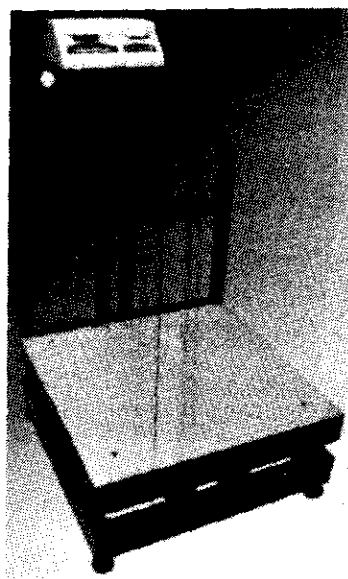


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21/(254)/2010]

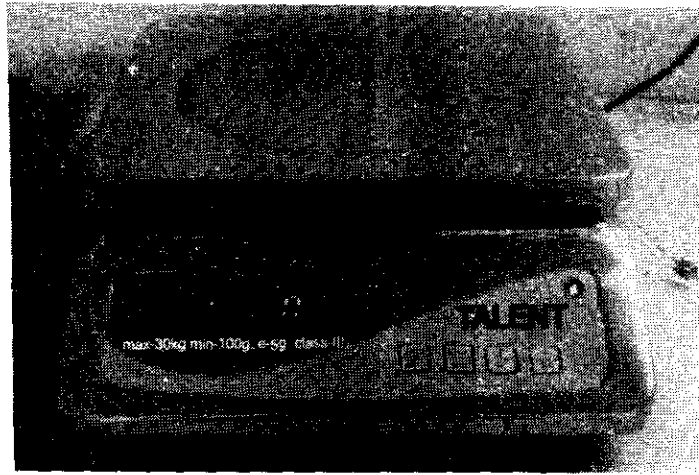
B.N. DIXIT, Director of Legal Metrology

नई दिल्ली, 15 दिसम्बर, 2010

का.आ. 3130.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स टेलेंट इंडस्ट्रिज, प्लॉट नं. 204, चंडीसर जी आई डी सी एस्टेट, पालनपुर जिला बनासकांठा, गुजरात 385510 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “टेलेंट-टीटी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “टेलेंट” है (जिसे इसमें इसके पश्चात उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/84 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले के राइट साइड/बैक साइड में सीलिंग की गई है। डिस्पले की बेस प्लेट और टॉप कवर के छेद से सील को जोड़ा गया है, तब सील वायर इन दोनों छेदों में से निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे की मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम -21(77)/2010]

बी.एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 15th December, 2010

S.O. 3130.—Whether the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class-III) of Series “TALENT-TT” and with brand name “TALENT” (hereinafter referred to as the said model), manufactured by M/s Talent Industries, Plot No 204, Chandisar G. I. D.C. Estate, Chandisar, Palanpur Dist Banaskantha Gujarat 385510 which is assigned the approval mark IND/09/10/84;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternative current power supply.

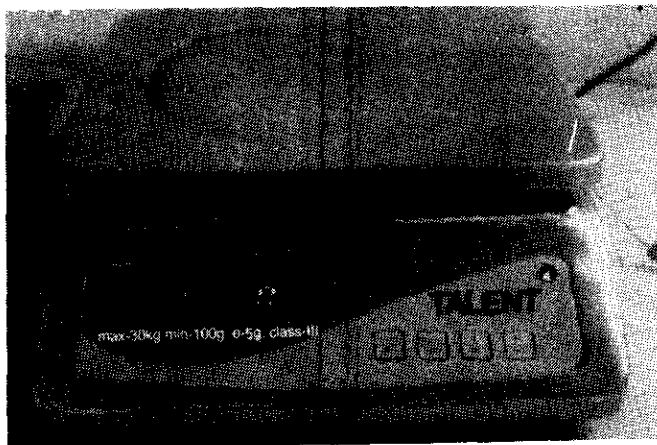


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the right side/back side of the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity up to 50kg. and with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F.No.WM-21/(77)/2010]

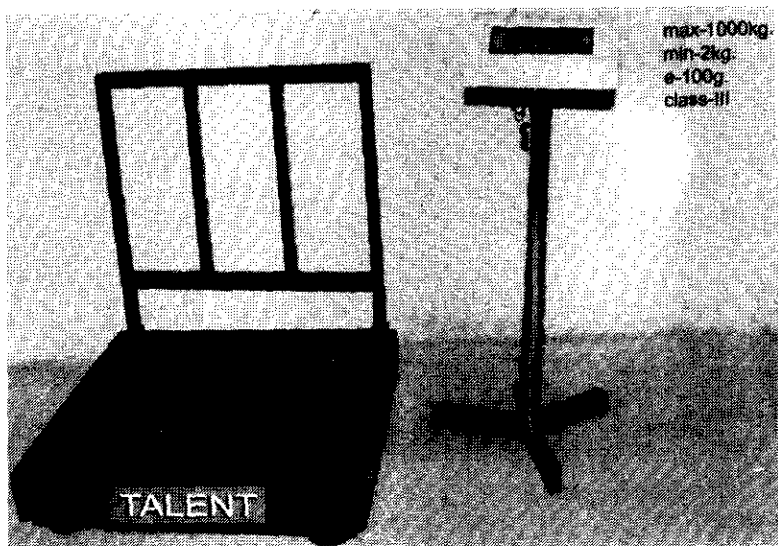
B.N. DIXIT, Director of Legal Metrology

नई दिल्ली, 15 दिसम्बर, 2010

का.आ. 3131.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टेलेंट इंडस्ट्रिज, प्लॉट नं. 204, चंडीसर जी आई डी सी एस्टेट, चंडीसर, पालनपुर जिला बनावसांठा, गुजरात 385510 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “टेलेंट-पी” श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के माडल का, जिसके ब्रांड का नाम “टेलेंट” है (जिसे इसमें इसके पश्चात उक्त मॉडल कहा गया है) और जिसे अनुमोदन विह्व आई एन डी/09/10/85 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त माडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाडी में से सीलिंग वायर निकाल कर डिस्पले के राइट साइड/बैक साइड में सीलिंग की गई है। डिस्पले की बेस प्लेट और टॉप कवर के छेद से सील को जोड़ा गया है, तब सील वायर इन दोनों छेदों में से निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसीश्रृंखला के वैसे की मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^6 , 2×10^6 , 5×10^6 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम -21(77)/2010]

बी.एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 15th December, 2010

S.O. 3131.—Whether the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class -III) of Series "TALENT-P" and with brand name "TALENT" (hereinafter referred to as the said model), manufactured by M/s Talent Industries, Plot No. 204, Chandisar G. I.D.C. Estate, Chandisar, Palanpur Dist Banaskantha Gujarat 385510 which is assigned the approval mark IND/09/10/85;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternate current power supply.

Figure-1

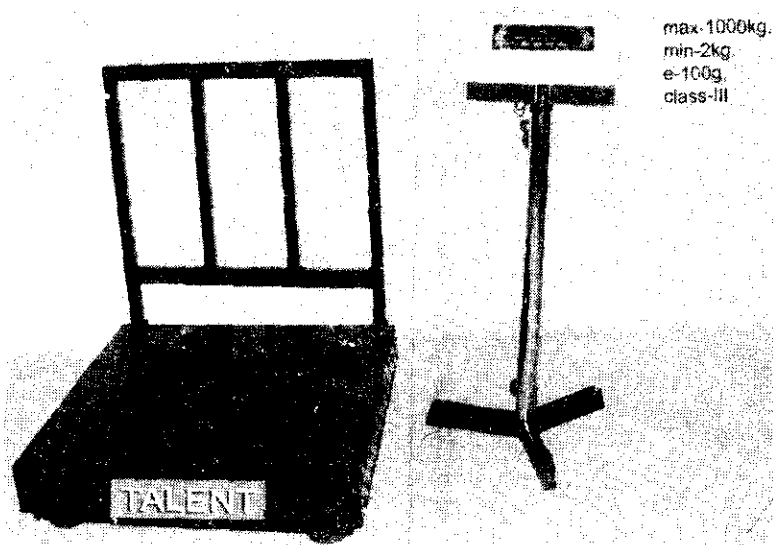


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the right side/back side of the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50kg. up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21(77)/2010]

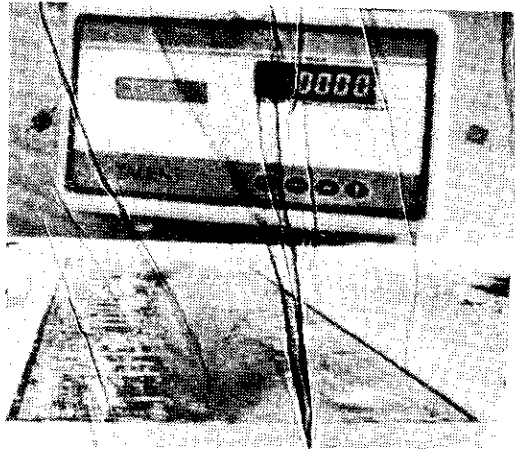
B.N. DIXIT, Director of Legal Metrology

नई दिल्ली, 15 दिसम्बर, 2010

का.आ. 3132.—केन्द्रीय प्रकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह सम्मान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें), वाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा वाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स टेलेंट इंडस्ट्रिज, प्लॉट नं. 204, चंडीसर जी आई डी सी एस्टेट, चंडीसर, पालनपुर जिला बनावसकांठा, गुजरात 385510 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "टेलेंट-एफ" श्रृंखला के अंकक सृजन सहित अस्वचालित तौलन उपकरण (इलेक्ट्रॉनिक वेंचिज) के मॉडल का, जिसके ब्रांड का नाम "टेलेंट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन ई 09 10/86 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेत आधारित अस्वचालित तौलन उपकरण (इलेक्ट्रॉनिक वेंचिज) है। इसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तौलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्प्ले की बाड़ी पर किए गए हैंड होल स्कू में से सीलिंग वायर निकाल कर डिस्प्ले के बैक साइड में सीलिंग की जाती है। डिस्प्ले की बैक प्लेट के होल से सील को जोड़ा गया है। तब सील से जुड़े इन दोनों छेदों में से सील वायर निकाल कर सील से जोड़ा गया है मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी मापनी में जिसमें उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे की मेक, यथार्थता और कार्यपालन के तौलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो बनावतमक या ऋणात्मक पूर्णांक शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम -21(77) 2010]

बी.एन. दीक्षित, निदेशक, विधिक माप विभाग

New Delhi, the 15th December, 2010

S.O. 3132.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Weighbridge) with digital indication of medium accuracy (Accuracy class -III) of Series "TALENT-F" and with brand name "TALENT" (hereinafter referred to as the said model), manufactured by M/s. Talent Industries, Plot No. 204, Chandisar G. I.D.C Estate, Chandisar, Palanpur Dist Banaskantha Gujarat-383510 which is assigned the approval mark IND/09/10/86;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge) with a maximum capacity of 30 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The LED display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternative current power supply.

Figure-1 Model (Weighbridge)

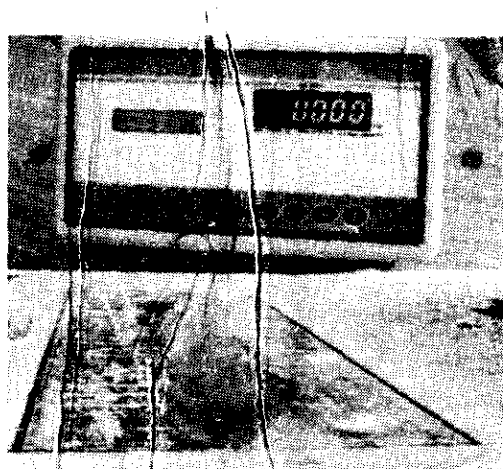


Figure-3—Sealing provision of the indicator of the Model.

Sealing is done on the back side of the display by passing sealing wire from the head hole screw on the body of the display. The seal is connected by whole in back plate of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or above and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[E.No.WM-21 (77) 2010]

B. N. DIXIT, Director of Legal Metrology

कोयला मंत्रालय

नई दिल्ली, 16 दिसम्बर, 2010

का.आ. 3133.—केंद्रीय सरकार ने कोयला शक्ति क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) के तहत इसमें उसके पश्चात् लब्ध अधिनियम कहा गया है) की धारा 7 की उपधारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 3446 तारीख 14 दिसम्बर, 2009 द्वारा जो भारत का राजपत्र भाग II, खण्ड 3, उपखण्ड (1) तारीख 19 दिसम्बर, 2009 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विविध 2213.242 हेक्टेयर या 5468.92 एकड़ भूमिगत को भूमि में और उस पर की सभी अधिकारों को अर्जन करने के अपने आदेश को सूचना दी थी।

और साक्ष्य प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केंद्रीय सरकार को अपनी रिपोर्ट दी है।

और केंद्रीय सरकार का पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और लक्ष्मणगढ़ सरकार पर परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में यथा वर्णित 2213.242 हेक्टेयर (लगभग) या 5468.92 एकड़ (लगभग) भूमि को भूमि में और उस पर की सभी अधिकारों अर्जन किए जाने चाहिए।

अतः अब केंद्रीय सरकार द्वारा अधिनियम का धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तों का प्रयोग करते हुए यह आदेश दिया है कि इससे संलग्न अनुसूची में वर्णित 2213.242 हेक्टेयर (लगभग) या 5468.92 एकड़ (लगभग) भूमि को भूमि में और उस पर की सभी अधिकारों अर्जन किए जाने हैं।

इस अधिसूचना को अन्तर्गत आने वाले क्षेत्रों में प्रत्येक व्यक्ति को इसमें अधिकारों की पर्याप्त जानकारी देना आवश्यक है कि इससे संलग्न अनुसूची में वर्णित 2213.242 हेक्टेयर (लगभग) या 5468.92 एकड़ (लगभग) भूमि को भूमि में और उस पर की सभी अधिकारों अर्जन किए जाने हैं।

अनुसूची

राई पर्व और राई पश्चिम ब्लॉक

मांड रायगढ़ कालपीलड्स, रायगढ़ क्षेत्र, जिला--रायगढ़ (लक्ष्मणगढ़)

(पेग्वांक संख्या) एसईएमएल कीटली-जोएम (पीएलजी) भूमि 387 तारीख 12 जुलाई, 2009

सभी अधिकार :

(क) राजस्व भूमि :

तहसील धरघोडा		जिला-- रायगढ़			
क्रम सं.	ग्राम का नाम	परचारी इलाका पेग्वांक	बन्दीबरत संग्रहांक	क्षेत्र हेक्टेयर में	टिप्पणीयता
1	2	3	4	5	6
1.	चरोर	16	199	483.962	भूमि
2.	पारपी	16	193	120.998	भूमि
3.	बिलारी	26	228	52.013	भूमि
4.	कुर्मीभावना	27	221	332.233	भूमि
5.	गोरदा	27	192	168.180	भूमि
6.	आटाआरया	27	57	948.622	भूमि
7.	कडगपाली	27	19	242.564	भूमि

कुल = 1848.569 हेक्टेयर (लगभग) या 4567.81 एकड़ (लगभग)

(ख) राजस्व वन भूमि (सीजेजे और बीजेजे) :

क्रम सं.	ग्राम का नाम	पटवारी हल्का संख्यांक	बन्दोबस्त संख्यांक	क्षेत्र हेक्टर में	टिप्पणियां
1	2	3	4	5	6
1.	बरोद	16	199	223.046	भाग
2.	पोरडी	16	193	058.782	पूर्ण
3.	कुर्मीभावना	27	221	06.000	भाग
4.	पोरडा	27	192	62.325	भाग
5.	काटाझरिया	27	57	11.390	भाग
6.	कटरापाली	27	19	03.130	भाग

कुल :--364.673 हेक्टर (लगभग) या 901.11 एकड़ (लगभग)

कुल योग (क + ख) :--2213.242 हेक्टर (लगभग)

या 5468.92 एकड़ (लगभग)

1. ग्राम बरोद (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :-- 11 (भाग), 18, 19, 20 (भाग), 1 से 364, 365 (भाग), 367(भाग), 369 (भाग), 370 (भाग), 372 से 573, 575 से 721, 722(भाग), 729(भाग), 745(भाग), 746, 747, 748 (भाग), 750 (भाग), 751, 757 से 779 ।

2. ग्राम पोरडी (संपूर्ण) में अर्जित किए जाने वाले प्लॉट संख्या :--1 से 174

3. ग्राम बिजारी (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :--2, 7 (भाग), 11 से 16, 77 से 105, 107 से 110 ।

4. ग्राम कुर्मीभावना (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :-- 1 से 434, 436 से 443, 445 से 485, 487, 489 से 532 ।

5. ग्राम पोरडा (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :--1 से 13, 14 (भाग), 15(भाग), 16 से 136, 136/2, (1), 136/2, 137 से 233, 233/2, 234 से 257, 256(भाग), 257(भाग), 258 से 269, 278, 304 से 313, 315 से 317, 318 (भाग), 319 से 349, 349/1 से 349/4, 350 से 353, 353/1, 354, 357, 357/1 से 357/3, 358 से 418 ।

6. ग्राम काटाझरिया (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :-- 1, 2 (भाग), 16, 17, 19 से 39, 47 से, 49, 54 (भाग), 76 से 79 ।

7. ग्राम कटरापाली (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :-- 1, 21, 42 से 58, 86(भाग), 87 से 136, 136/1, 136/2, 137 से 240, 265 से 270, 270/1, से 270/9, 271 से 280, 284, 285, 293 से 313, 315 से 364 ।

सीमा वर्णन :--

क-ख रेखा ग्राम बरोद --फगोरम के सम्मिलित सीमा पर बिन्दु "क" से आरंभ होती है और कुरकंट नदी के पूर्वी किनारे से होती हुई बिन्दु "ख" पर मिलती है ।

ख-ग रेखा ग्राम बरोद के प्लॉट संख्या 70/1, 11/4, से 11/6, 18/1क, 20/1क से होकर प्लॉट संख्या 572, 573 के पश्चिमी सीमा से होती हुई ग्राम बरोद के सीमा में बिन्दु "ग" पर मिलती है ।

ग-घ रेखा ग्राम बरोद के प्लॉट संख्या 573, 575 के पूर्वी सीमा से होती हुई बिन्दु "घ" पर मिलती है ।

घ-ङ रेखा ग्राम बरोद के उत्तरी सीमा और ग्राम पोरडी के उत्तरी तथा पूर्वी सीमा से होती हुई बिन्दु "ङ" पर मिलती है ।

ङ-च रेखा ग्राम कुर्मीभावना के प्लॉट संख्या 419/2, 420, 429, 430, 431, 432, 433, 434, 436, 437 के उत्तरी सीमा, 437, 438 के पूर्वी सीमा, 440, 441 के उत्तरी सीमा, 441, 443, 445 के पूर्वी सीमा से होती हुई बिन्दु "च" पर मिलती है ।

च-छ रेखा ग्राम कुर्मीभावना के भागतः पूर्वी सीमा से होकर प्लॉट संख्या 449, 450, 456, 472 के दक्षिणी सीमा, 485, 487, 489, 490, 493 के पूर्वी सीमा, 504, 506 के उत्तरी सीमा, 511 के पश्चिमी सीमा से होकर ग्राम कुर्मीभावना के भागतः उत्तरी और पूर्वी सीमा से गुजरती हुई बिन्दु "छ" पर मिलती है ।

- छ-ज रेखा ग्राम काटाझरिया के भागत: पश्चिमी सीमा से होकर प्लॉट संख्या 2/5, 26, 25/1, 24 21 के पूर्वी सीमा, 19, 16/3, 16/2 के उत्तरी सीमा, 16/2, 16/1, 16/5, 39, 48/1, 47, 48/1, 48/2, 49, 54/3 के पूर्वी सीमा और 79/1, 79/4 के पूर्वी सीमा 76/2 के उत्तरी सीमा से होकर ग्राम काटाझरिया और पोरडा के भागत: पूर्वी सीमा से होती हुई बिन्दु "ज" पर मिलती है।
- ज-झ रेखा ग्राम कठरापाली के प्लॉट संख्या 19, 21, 42, के पूर्वी सीमा, 42, 48/1-48/4, 58 के उत्तरी और पूर्वी सीमा, 56, 55 के पूर्वी सीमा, 55, 53 के दक्षिणी सीमा, 52 के पूर्वी सीमा तथा 86 से होकर 240 के दक्षिणी सीमा, 239, 266, 265, 269, 274, 280 284, 285, 293/2 के पूर्वी सीमा, 293/2, 313, 316, 364, 360, 359 के दक्षिणी सीमा और 213 के भागत: पूर्वी सीमा से होती हुई बिन्दु "झ" पर मिलती है।
- झ-ञ रेखा ग्राम कठरापाली के भागत: दक्षिणी और पश्चिमी सीमा से होती हुई बिन्दु "ज" पर मिलती है।
- ञ-ट रेखा ग्राम पोरडा के प्लॉट संख्या 397/1, 399, 400, 418, 414/1, 415/2, 413, 412, 411, 404, 318 के पश्चिमी सीमा, 313/2, 304, 245, 248/2, 248/1, 269, 267, 264/1, 263/3 के दक्षिणी और पश्चिमी सीमा, 263/1, 278, 257/9, 257/7 के पश्चिमी सीमा, 257/7, 257/10 के उत्तरी सीमा, 257/11, 257/12 के पश्चिमी सीमा तथा 257/6, 257/5, 257/4 के दक्षिणी सीमा, 256/1, 255 से होकर 40/1 के पश्चिमी सीमा, और 15, 14, से होती हुई बिन्दु "ट" पर मिलती है।
- ट-ठ-ड रेखा ग्राम पोरडा-बिजारी के भागत: सम्मिलित सीमा से होकर ग्राम बिजारी में प्रवेश करती है और प्लॉट संख्या 110/2, 110/5, 109, 108, 107 के दक्षिणी सीमा, 105, 104 के पश्चिमी सीमा, 96, 77, 7/9, 7/12, 7/8, 7/7, 7/6, 7/5, 16/2, 16/1 के दक्षिणी सीमा, 16/2, 7/15, 11, 12/1 के पश्चिमी सीमा, बिन्दु "ठ" से होकर ग्राम कुर्माधावना-बिजारी के भागत: सम्मिलित सीमा से गुजरती है फिर प्लॉट संख्या 2 के पूर्वी, दक्षिणी और पश्चिमी सीमा तथा ग्राम पोरडा-बिजारी के भागत: सम्मिलित सीमा से गुजरती हुई बिन्दु "ड" पर मिलती है।
- ड-ढ रेखा ग्राम बरौद के प्लॉट संख्या 756/1 के पश्चिमी सीमा, 751 के दक्षिणी सीमा, 750/2 के उत्तरी सीमा और 750/1, 748 से होकर 745/4 के दक्षिणी सीमा, 745/3 के पूर्वी तथा दक्षिणी सीमा तथा 722/1, 412, 387, 385, 386 से होकर गुजरती है फिर 382 के पश्चिमी सीमा, 372/1, 372/2 के पूर्वी एवं 370, 369/1, 367, 365, 729/3, 352, 346/1, 346/3, 346/4, 346/5 से होती हुई ग्राम बरौद-फगोरम के सम्मिलित सीमा में बिन्दु "ढ" पर मिलती है।
- ढ-क रेखा ग्राम बरौद-फगोरम के भागत: सम्मिलित सीमा से गुजरती हुई आरंभ बिन्दु "क" पर मिलती है।

[फा. सं. 43015/10/2006-पीआरआई/बिन्दु 1]

एम. शहाबुद्दीन, अवर सचिव

MINISTRY OF COAL

New Delhi, the 16th December, 2010

S.O. 3133.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 3446 dated the 14th December, 2009, issued under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part - II, Section 3, sub-section (ii) dated the 19th December, 2009, the Central Government gave notice of its intention to acquire 2213.242 hectares or 5468.92 acres land as all rights in or over such lands specified in the Schedule appended to that notification:

And, whereas, the competent authority in pursuance of Section 8 of the said Act has made his report to the Central Government;

And, whereas, the Central Government after considering the aforesaid report and after consulting the Government of Chhattisgarh, is satisfied that the lands measuring 2213.242 hectares (approximately) or 5468.92 acres (approximately) as all rights in or over such lands as described in schedule appended hereto; should be acquired;

Now, therefore, in exercise of the powers conferred by sub section (1) of Section 9 of the said Act, the Central Government hereby declares that the land measuring 2213.242 hectares (approximately) or 5468.92 acres (approximately) as all rights in or over such lands as described in Schedule are hereby acquired.

The Plan bearing number SECLBSP/GM/(P.L.G)/Land/ 387, dated the 12th July, 2010 of the area covered by this notification may be inspected at the Office of the Collector, Raigarh (Chhattisgarh) or at the office of the Coal Controller, 1, Council House Street, Kolkata - 700001 or at the Office of the South Eastern Coalfield Limited (Revenue Section) Seepat Road, Bilaspur-495006 (Chhattisgarh)

SCHEDULE

Rai East and Rai West Block

Mand Raigarh Coalfields, Raigarh Area, Distt. Raigarh (Chhattisgarh)

(Plan bearing number : SECL/BSP/GM (PLG)/Land/387 dated the 12th July, 2010)

All Rights :

(A) Revenue Land :

Tahsil — Gharghoda District — Raigarh

Sl. No.	Name of Village	Patwari halka Number	Settlement Number	Area in Hectares	Remarks
1	2	3	4	5	6
1.	Baroud	16	199	483.962	Part
2.	Pordi	16	193	120.995	Part
3.	Bijari	26	228	57.013	Part
4.	Kurmibhouna	27	221	332.233	Part
5.	Porda	27	192	563.180	Part
6.	Katajharia	27	57	048.622	Part
7.	Katharrapali	27	19	242.564	Part

Total :- 1848.569 hectares (approximately) or 4567.81 acres (approximately)

(B) Revenue Forest Land (CJJ & BJJ) :

Sl. No.	Name of Village	Patwari halka Number	Settlement Number	Area in Hectares	Remarks
1	2	3	4	5	6
1.	Baroud	16	199	223.046	Part
2.	Pordi	16	193	058.782	Part
3.	Kurmibhouna	27	221	06.000	Part
4.	Porda	27	192	62.325	Part
5.	Katajharia	27	57	11.390	Part
6.	Katharrapali	27	19	03.130	Part

Total :- 364.673 Hectares (approximately) or 901.11 Acres (approximately)

Grand Total (A+ B) :- 2213.242 hectares (approximately)

or 5468.92 acres approximately)

1. Plot Numbers to be acquired in village Baroud (Part) :- 11(P), 18, 19, 20 (P), 21 to 364, 365 (P), 367 (P), 369 (P), 370(P), 372 to 573, 575 to 721, 722(P) 729(P), 745(P), 746, 747, 748(P), 750 (P), 751, 757 to 779.

2. Plot Numbers to be acquired in village Pordi (Full) :- 1 to 174.

3. Plot Numbers to be acquired in. village Bijari (Part) :- 2, 7(P), 11 to 16, 77 to 105, 107 to 110.

4. Plot Numbers to be acquired in village Kurmibhouna (Part) :- 1 to 434, 436 to 443, 445 to 485, 487, 489 to 532.

5. Plot Numbers to be acquired in village Porda (Part) :- 1 to 13, 14(P), 15(P), 16 to 136, 136/2(1), 136/2. 137 to 233, 233/2, 234 to 255, 256(P), 257(P), 258 to 269, 278, 304 to 313, 315 to 317, 318(P), 319 to 349, 349/1 to 349/4, 350 to 353, 353/1, 354, 357, 357/1 to 357/3, 358 to 418.

6. Plot Numbers to be acquired in village Katajharla (Part) :- 1, 2(P), 16, 17, 19 to 39, 47 to 49, 54(P), 76 to 79.

7. Plot Numbers to be acquired in village Katharrapali (Part) :- 1 to 21, 42 to 58, 86(P), 87 to 136, 136-1, 136-2, 137 to 240, 265 to 270, 270/1 to 270/9, 271 to 280, 284, 285, 293 to 313, 315 to 364.

Boundary Description :

- A-B** Line starts from point 'A' on the common boundary of villages Baroud-Faguram and passes along the eastern bank of Kurket River and meets at point 'B'.
- B-C** Line passes in village Baroud through plot number 70/1, 11/4 to 11/6, 18-1K, 20-1K then western boundary of plot number 572, 573 and meets at point 'C' on the village boundary of village Baroud.
- C-D** Line passes in village Baroud along eastern boundary of plot number 573, 575 and meets at point 'D'.
- D-E** Line passes along northern village boundary of village Baroud, northern and eastern village boundary of village Pordi and meets at point 'E'.
- E-F** Line passes in village Kurnibhouna along northern boundary of plot number 419/2, 420, 429, 430, 431, 432, 433, 434, 436, 437, eastern boundary of plot number 437, 438, northern boundary of plot number 440, 441, eastern boundary of plot number 441, 443, 445 and meets at point 'F'.
- F-G** Line passes along partly eastern village boundary of village Kurnibhouna then southern boundary of plot number 449, 450, 456, 472, eastern boundary of plot number 485, 487, 489, 490, 493, northern boundary of plot number 504, 506, western boundary of plot number 511 then along partly northern and eastern village boundary of village Kurnibhouna and meets at point 'G'.
- G-H** Line passes along partly western village boundary of village Katajharla then eastern boundary of plot number 2/5, 26, 25/1, 24, 21, northern boundary of plot number 19, 16-3, 16-2, eastern boundary of plot number 16-2, 16-1, 16-5, 39, 48/1, 47, 48/1, 48-2, 49, 54-3, through and eastern boundary of plot number 79-1 to 79-4, northern boundary of plot number 76/2 then along partly eastern village boundary of village Katajharla and Porda and meets at point 'H'.
- H-I** Line passes in village Katharrapali along eastern boundary of plot number 19, 21, 42, northern and eastern boundary of plot number 42, 48-1 to 48-4, 58, eastern boundary of plot number 56-55, southern boundary of plot number 55, 53, eastern boundary of plot number 52, through 86, southern boundary of plot number 240, eastern boundary of plot number 239, 266, 265, 269, 274, 280, 284, 285, 293-2, southern boundary of plot number 293-2, 313, 316, 364, 360, 359, partly eastern boundary of plot number 213 and meets at point 'I'.
- I-J** Line passes along partly southern and western village boundary of village Katharrapali and meets at point 'J'.
- J-K** Line passes in village Porda along western boundary of plot number 397-1, 399, 400, 413, 411/3, 415-2, 413, 412, 411, 404, 318, southern and western boundary of plot number 313-2, 304, 245, 248-2, 248-1, 269, 267, 264-1, 263-3, western boundary of plot number 263-1, 278, 257-9, 257-7, northern boundary of plot number 257-7, 257-10, western boundary of plot number 257-11, 257-12, southern boundary of plot number 257-6, 257-5, 257-3, through 256-1, 255, western boundary of plot number 40-1, through 15, 14, and meets at point 'K'.
- K-L-M** Line passes along partly common boundary of villages Porda - Bijari then enter and passes in village Bijari along southern boundary of plot number 110-2, 110/5, 109, 108, 107, western boundary of plot number 105, 104, southern boundary of plot number 96, 77, 7-9, 7-12, 7/8, 7-7, 7-6, 7-5, 16-2, 16-1, western boundary of plot number 16-2, 7/15, 11, 12-1 then point 'L', along partly common boundary of villages Kurnibhouna - Bijari after that eastern, southern and western boundary of plot number 2 then partly common boundary of villages Kurnibhouna - Bijari and meets at point 'M'.
- M-N** Line passes in village Baroud along western boundary of plot number 750-1, southern boundary of plot number 751, northern boundary of plot number 750-2, through 750-1, 748, southern boundary of plot number 745-4, eastern and southern boundary of plot number 745-3, through 722-1, 412, 387, 385, 386, western boundary of plot number 382, eastern boundary of plot number 372-1, 372-2, through 370, 369-1, 367, 365, 729-3, 352, 346-1, 346-3, 346-4, 346-5 and meets at point 'N' on the common boundary of village Baroud-Faguram.
- N-A** Line passes along the partly common boundary of villages Baroud-Faguram and meets at starting point 'A'.

नई दिल्ली, 16 दिसम्बर, 2010

का.आ. 3134.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन एवं विकास) अधिनियम, 1957 (1957 का 20), (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) के अधीन भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का.आ. 97 तारीख 4-01-2010 द्वारा जो भारत के राजपत्र, भाग-II, खण्ड-3, उपखण्ड (ii) तारीख 9 जनवरी, 2010 को प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 229.20 हेक्टर (लगभग) या 566.12 एकड़ (लगभग) ("सभी अधिकार" 210.20 हेक्टर एवं "खनन अधिकार" 19.00 हेक्टर) है, कोयले का पूर्वक्षण करने के अपने आशय की सूचना दी थी;

और केन्द्रीय सरकार का यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूची में विहित उक्त भूमि के भाग में कोयला अभिप्राप्त है;

अतः, अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन एवं विकास), अधिनियम की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इससे संलग्न अनुसूची में यथा वर्णित 229.20 हेक्टर (लगभग) या 566.12 एकड़ (लगभग) ("सभी अधिकार" 210.20 हेक्टर एवं "खनन अधिकार" 19.00 हेक्टर) जो उक्त भूमि का अर्जन करने की अपने आशय की सूचना देती है;

टिप्पण 1 : इस अधिसूचना के अधीन आने वाले रेखांक संख्या जीएम/जेएनआर/भूमि/सीबीए/10/01 तारीख 24 जून, 2010 कलेक्टर, बर्दवान (पश्चिम बंगाल) के कार्यालय में या कोयला नियंत्रक, 1 कार्डसिल हाउस स्ट्रीट कोलकाता-700001 के कार्यालय में या निदेशक तकनीकी (परियोजना और योजना), ईस्टर्न कोलफील्ड्स लिमिटेड, संकतोडिया, डाकघर दिशेरगढ़, जिला बर्दवान-713333 (पश्चिम बंगाल) के कार्यालय में किया जाता है।

टिप्पण 2 : उक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है जिसमें निम्नलिखित उपबंध हैं :-

अर्जन की बाबत आपत्तियाँ :-

"8(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गयी है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन के किए जाने के बारे में आक्षेप कर सकेंगा।

स्पष्टीकरण :-

- (1) इस धारा के अन्तर्गत यह आपत्ति नहीं मानी जायेगी, कि कोई व्यक्ति किसी भूमि में कोयले उत्पादन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।
- (2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम अधिकारी को लिखित रूप में की जायेगी और सक्षम अधिकारी, विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जाँच यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है, वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।
- (3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जायेगा जो प्रतिकर में हित का दावा करने का हकदार होता, यदि भूमि में या किसी ऐसी में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।"

टिप्पणी 3 : केन्द्रीय सरकार ने कोयला नियंत्रक, 1, कार्डसिल हाउस स्ट्रीट, कोलकाता-700001 को उक्त अधिनियम के अधीन अधिसूचना संख्या का.आ. 2520 तारीख 11 जून, 1983 द्वारा सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

झांझरा-कालिपुर भू-विज्ञानी ब्लॉक

जिला बर्दवान (पश्चिम बंगाल)

(रेखांक संख्या : जीएम/जेएनआर/भूमि/सीबीए/10/01 तारीख 24 जून, 2010)

सभी अधिकार :

क्र. सं.	मौजा (ग्राम)	जे.एल. संख्या	पुलिस स्टेशन (थाना)	जिला	क्षेत्र हेक्टर में	टिप्पणियाँ
1.	सिरसा	17	फरीदपुर	बर्दवान	48.00	भाग
2.	बालीजुरी	16	फरीदपुर	बर्दवान	69.00	भाग
3.	मधाईगंज	24	फरीदपुर	बर्दवान	39.80	भाग
4.	बेनेबंदी	11	फरीदपुर	बर्दवान	29.60	भाग
5.	श्रीकृष्णपुर	9	फरीदपुर	बर्दवान	230.80	भाग
कुल :					210.20 हेक्टर (लगभग)	

खनन अधिकार :

1.	बालीजुरी	16	फरीदपुर	बर्दवान	19.00	भाग
कुल :					19.00 हेक्टर (लगभग)	

झांझरा क्षेत्र के निरंतर दूसरे खनिक के लिए विस्तारित भूमि की अनुसूची

मौजा--बालीजुरी

जे.एल. संख्या-16

थाना--फरीदपुर

आर.एस. प्लॉट संख्या :- (सभी अधिकार)

5(भाग), 33(भाग), 46(भाग), 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104 (भाग), 105 (भाग), 106, 107 (भाग), 108(भाग), 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135(भाग), 136, 137, 138, 139, 140, 141 (भाग), 145 (भाग), 171 (भाग), 172, 173(भाग), 174(भाग), 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189(भाग), 190(भाग), 191, 192, 196(भाग), 225 (भाग), 226, 227, 229, 230, 231, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 324 (भाग), 327, 328 (भाग), 331 (भाग), 332, 333, 334, 335 (भाग), 419, 420, 421 (भाग), 423, 424 (भाग), 425, 426, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 439(भाग), 440 (भाग), 542 (भाग), 587, 588, 589, 1247, 1248, 1256, 1257, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301(भाग), 1307, 1308, 1363(भाग), 1365, 1366, 1369, 1370, 1371, 1373, 1374, 1375(भाग), 1447(भाग), 1465(भाग), 1466, 1467, 1468, 1469, 1470(भाग), 1476 (भाग), 1477 (भाग), 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1504 (भाग), 1508(भाग), 1509(भाग), 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525(भाग), 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1544, 1545, 1546, 1547, 1548, 1549(भाग), 1550, 1551 (भाग), 1552 (भाग), 56/2067, 113/2068, 101/2070, 140/2080, 248/2084, 1248/2103, 1467/2104, 1524/2106, 233/2116, 174/2128 (भाग), 174/2129।

मौजा--बालीजुरी (बालीजुरी ग्राम के अधीन) जे.एल. संख्या 16, थाना-फरीदपुर,

आर.एस. प्लॉट संख्या :- (खनन अधिकार)

135 (भाग), 141 (भाग), 142, 143, 144, 145 (भाग), 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 (भाग), 173(भाग), 174(भाग), 189(भाग), 190(भाग), 193, 194, 195, 196(भाग), 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225 (भाग), 228, 232, 421 (भाग), 424 (भाग), 438, 439 (भाग), 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 525 (भाग), 533, 535, 536, 537, 538, 539, 540, 541, 542 (भाग), 543, 544, 545, 546, 547, 548, 550, 566, 567, 568, 569, 570, 571, 572, 573, 574, 576 (भाग), 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 594 (भाग), 595 (भाग), 567/2073, 206/2081, 160/2082, 210/2083, 424/2087, 424/2088, 501/2089, 205/2112, 168/2113, 168/2114, 151/2115, 574/2121, 578/2122(भाग), 174/2128(भाग), 1446 (भाग), 1447 (भाग), 1470 (भाग), 1471, 1472, 1473, 1474, 1475, 1476(भाग), 1477(भाग)।

मौजा--सिरसा जे.एल. संख्या 17 थाना--फरीदपुर,

आर. एस. प्लॉट संख्या :- (सभी अधिकार)

843(भाग), 1169(भाग), 1676(भाग), 1677(भाग), 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706 (भाग) 1707, 1708, 1709, 1710, 1743, 1755, 1756, 1757, 1758, 1759, 1761 (भाग), 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804,

1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1858, 1859, 1944, 1945 (भाग), 1946, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968 (भाग), 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2058 (भाग), 1684/2343, 1968/2344, 1793/2378, 1737/2384।

मौजा--मधाईगंज जे.एल. संख्या-24 थाना--फरीदपुर

आर. एस. प्लाट संख्या :- (सभी अधिकार)

34 (भाग), 35, 36, 37, 38, 39 (भाग), 155, 156, 157, 158 (भाग), 311 (भाग), 312, 313, 314, 315, 316, 317, 318, 319 (भाग), 320, 321 (भाग), 322, 323, 324 (भाग), 325 (भाग), 326 (भाग), 331 (भाग)।

मौजा--बेनेबंदी जे.एल. संख्या-11 थाना--फरीदपुर

आर. एस. प्लाट संख्या :- (सभी अधिकार)

143 (भाग), 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180 (भाग), 181, 182, 183 (भाग), 215।

मौजा--श्रीकृष्णपुर जे.एल. संख्या-9 थाना--फरीदपुर

आर. एस. प्लाट संख्या :- (सभी अधिकार)

1811 (भाग),

रेखा सीमा विवरण :

1-2-3-4 : रेखा, मौजा सिरसा जे.एल. सं. 17 के प्लाट सं. 843 के पूर्वी भाग के बिंदु 1 (प्रस्तावित क्षेत्र का आरंभिक बिंदु) से शुरू होकर प्लाट सं. 1168 के दक्षिणी रेखा से गुजरती हुई बिंदु 2 पर मिलती है। रेखा, बिंदु 2 प्लाट सं. 1168 के दक्षिणी पूर्व छोर के बिंदु 2 से शुरू होती है और प्लाट संख्या 1169 के मध्य, 2058 के उत्तरी भाग से, प्लाट संख्या 1944 के उत्तरी रेखा से प्लाट संख्या 1945 के मध्य से, प्लाट संख्या 1946 के उत्तरी रेखा से गुजरती हुई बिंदु 3 पर मिलती है। रेखा, बिंदु 3 से शुरू होकर प्लाट सं. 1961 के पश्चिमी रेखा, प्लाट संख्या 2377 के पूर्वी भाग से, प्लाट संख्या 1855, 1858 1859 के उत्तरी रेखा से, प्लाट संख्या 1676, 1677 के दक्षिणी भाग से, प्लाट संख्या 1679, 1680, 1691, 1692, 1693, 1695, 1698, 1699, 1710, 1707, 1705 के उत्तरी रेखा, प्लाट संख्या 1706 के मध्य, प्लाट संख्या 1755, 1759 के उत्तरी रेखा से प्लाट संख्या 1761 के मध्य से, संख्या 1762 के उत्तरी भाग, प्लाट संख्या 1743 के उत्तरी रेखा से, प्लाट संख्या 1763 के उत्तरी पूर्व रेखा से प्लाट संख्या 2384 के उत्तरी रेखा सभी प्लाट संख्या जे.एल. सं. 17 से गुजरती हुई सम्मिलित सीमा मौजा सिरसा जे.एल. सं. 17 और मौजा बालीजुरी संख्या 16 में 4 बिंदु पर मिलती है जिसे योजना में निरूपित किया गया है।

4-5 रेखा, मौजा सिरसा जे.एल. सं. 17 तथा मौजा बालीजुरी जे.एल. सं. 16 के सम्मिलित बिंदु 4 से शुरू होकर मौजा बालीजुरी जे. एल. संख्या 16 के प्लाट सं. 108 के उत्तरी भाग, प्लाट सं. 107 के मध्य, प्लाट संख्या 5 के दक्षिणी भाग, प्लाट संख्या 105 के उत्तरी भाग प्लाट सं. 103, 101, 2070 के उत्तरी भाग, प्लाट संख्या 33, 46 के मध्य, प्लाट संख्या 47 के उत्तरी रेखा, प्लाट संख्या 49, 50 के पूर्वी रेखा, प्लाट संख्या 54 के उत्तरी रेखा प्लाट संख्या 589 के उत्तरी पूर्वी भाग, प्लाट संख्या 594, 595 के मध्य, प्लाट संख्या 582 के पूर्वी रेखा, प्लाट संख्या 578 के दक्षिणी भाग प्लाट संख्या 577 के उत्तरी भाग प्लाट संख्या 579, 574, 573 के पूर्वी रेखा प्लाट संख्या 566 के उत्तरी रेखा प्लाट संख्या 551, 549 के मध्य प्लाट संख्या 533, 535, 521 के उत्तरी रेखा, प्लाट संख्या 1446 के मध्य, प्लाट संख्या 1470 के उत्तरी भाग, प्लाट संख्या 1447 के उत्तरी भाग, प्लाट संख्या 1467, 1466 के उत्तरी रेखा, प्लाट 1465 के मध्य, प्लाट संख्या 1371, 1369, 1366, 1365 के उत्तरी रेखा, प्लाट संख्या 1363 के मध्य, प्लाट संख्या 1515, 1516, 1518 के उत्तरी रेखा, प्लाट संख्या 1308 के पश्चिमी और उत्तरी रेखा, प्लाट संख्या 1307 के उत्तरी रेखा, प्लाट संख्या 1301 के मध्य, प्लाट संख्या 1247 के उत्तरी रेखा, प्लाट संख्या 1248 के मध्य, प्लाट संख्या 1265 के पूर्वी रेखा, प्लाट संख्या 1256 के उत्तरी रेखा से गुजरती हुई सभी प्लाट मौजा बालीजुरी, जे. एल. सं. 16 के अन्तर्गत है जो मौजा बालीजुरी संख्या 16 तथा मौजा बेनाबंदी, जे.एल. संख्या 11 के सम्मिलित बिंदु 5 पर मिलती है जिसे योजना में निरूपित किया गया है।

5-5क रेखा, मौजा बालीजुरी जे.एल. संख्या 16 तथा मौजा बेनाबंदी, जे.एल. संख्या 11 के सम्मिलित बिंदु 5 से शुरू होकर मौजा बालीजुरी संख्या 16 के प्लाट संख्या 1257, 1261 के पूर्वी रेखा से गुजरती हुई मौजा बालीजुरी जे.एल. संख्या 16 के बिंदु 5क पर मिलती है जिसे योजना में निरूपित किया गया है।

- 5क-6 यह रेखा मौजा-बालीजुरी, जे.एल. संख्या 16 के प्लाट सं. 1261 के दक्षिण पूर्व छोर के बिंदु 5क से शुरू होती है और प्लाट संख्या 1260 के उत्तरी रेखा से गुजरती है और मौजा-बालीजुरी संख्या 16 तथा मौजा-बेनाबंदी, जे.एल. संख्या 11 के सम्मिलित बिंदु 6 पर मिलती है जिसे योजना में निरूपित किया गया है ।
- 6-7 रेखा, मौजा-बालीजुरी, जे.एल. संख्या 16 तथा मौजा-बेनाबंदी, जे.एल. संख्या 11 के सम्मिलित बिंदु 6 से शुरू होकर मौजा-बेनाबंदी, जे.एल. संख्या 11 के प्लाट संख्या 171, 170 के उत्तरी रेखा, प्लाट संख्या 177, 178 के पूर्वी रेखा, प्लाट संख्या 180 के पश्चिमी भाग, प्लाट संख्या 183 के उत्तरी भाग से गुजरती हुई मौजा-बेनाबंदी, जे.एल. संख्या 11 के बिंदु 7 पर मिलती है जिसे योजना में निरूपित किया गया है ।
- 7-8 रेखा, मौजा-बेनाबंदी, जे.एल. संख्या 11 के बिंदु 7 से शुरू होती है मौजा-बेनाबंदी, जे.एल. संख्या 11 के प्लाट संख्या 183 से उत्तरी भाग, प्लाट संख्या 143 के दक्षिण पश्चिम छोर के भाग से गुजरती हुई मौजा-बेनाबंदी, जे.एल. सं. 11 तथा श्रीकृष्णपुर, जे.एल. संख्या 9 के सम्मिलित बिंदु 8 (मौजा-बेनाबंदी, जे.एल. सं. 11 और श्रीकृष्णपुर जे.एल. सं. 9) पर मिलती है जिसे योजना में निरूपित किया गया है ।
- 8-9 रेखा, मौजा-बेनाबंदी, जे.एल. संख्या 11 तथा मौजा-श्रीकृष्णपुर, जे.एल. संख्या 9 के बिंदु 8 से शुरू होकर मौजा-श्रीकृष्णपुर, जे.एल. संख्या 9 के खसरा संख्या 1811 के मध्य उत्तरी से गुजरती हुई मौजा-श्रीकृष्णपुर, जे.एल. संख्या 9 के प्लाट संख्या 1811 के बिंदु 9 पर मिलती है जिसे योजना में निरूपित किया गया है ।
- 9-10 रेखा, मौजा-श्रीकृष्णपुर, जे.एल. संख्या 9 के बिंदु 9 से शुरू होकर मौजा-श्रीकृष्णपुर, जे.एल. संख्या 9 के प्लाट संख्या 1811 के मध्य पूर्व से गुजरती हुई मौजा-श्रीकृष्णपुर, जे.एल. संख्या 9 तथा मौजा-मधाईगंज जे.एल. संख्या 24 के सम्मिलित बिंदु 10 पर मिलती है जिसे योजना में निरूपित किया गया है ।
- 10-11 रेखा, मौजा-श्रीकृष्णपुर, जे.एल. संख्या 9, मौजा-मधाईगंज जे.एल. सं. 24 के प्लाट संख्या 331 के सम्मिलित बिंदु 10 से शुरू होती है और प्लाट संख्या 319 के मध्य, प्लाट संख्या 320 के पूर्व, प्लाट संख्या 321 के मध्य, प्लाट संख्या 326 के पश्चिमी, प्लाट संख्या 325 के पश्चिमी भाग, प्लाट संख्या 324 के पूर्वी भाग, प्लाट संख्या 311 के मध्य, प्लाट संख्या 158 के दक्षिणी पश्चिम से गुजरती हुई मौजा, मधाईगंज जे.एल. सं. 24 के प्लाट संख्या 159 के दक्षिण पूर्व बिंदु 11 पर मिलती है जिसे योजना में निरूपित किया गया है ।
- 11-12-13-14-15-16-17 रेखा, मौजा-मधाईगंज जे.एल. सं. 24 के बिंदु 11 से शुरू होती है और मौजा-मधाईगंज जे.एल. सं. 24 के प्लाट संख्या 159 के उत्तरी पूर्व से गुजरती हुई बिंदु 12 पर मिलती है । रेखा, बिंदु 12 से शुरू होती है और प्लाट संख्या 158 के पश्चिमी भाग से गुजरती हुई, प्लाट संख्या 37 के दक्षिण पूर्व बिंदु 13 पर मिलती है । रेखा, बिंदु 13 के प्लाट संख्या 37 के दक्षिणी रेखा से शुरू होकर 14 पर मिलती है । रेखा, बिंदु 14 से शुरू होकर, प्लाट संख्या 38 के पूर्वी रेखा से गुजरती हुई प्लाट संख्या 38 के पूर्वी रेखा 15 पर मिलती है । रेखा, बिंदु 15 से शुरू होकर प्लाट संख्या 38 के दक्षिण रेखा से गुजरती हुई बिंदु 16 पर मिलती है । यह रेखा बिंदु 16 प्लाट संख्या 38 से शुरू होकर प्लाट संख्या 38 के पश्चिमी रेखा, प्लाट संख्या 39 के मध्य पूर्व, प्लाट संख्या 34 के मध्य से गुजरती हुई बिंदु 17 पर मिलती है, सभी बिंदु मौजा-मधाईगंज जे.एल. सं. 24 से गुजरती है (मौजा-मधाईगंज जे.एल. सं. 24 के प्लाट संख्या 31 के दक्षिणी पूर्व बिंदु तथा मौजा-मधाईगंज जे.एल. सं. 24 एवं मौजा-बेनाबंदी जे.एल. सं. 11 के सम्मिलित बिंदु) जिसे योजना में निरूपित किया गया है ।
- 17-18 रेखा, मौजा-मधाईगंज जे. एल. सं. 24 तथा मौजा-बेनाबंदी जे. एल. सं. 11 के सम्मिलित बिंदु 17 से शुरू होती है और मौजा-बेनाबंदी जे.एल. सं. 11 के प्लाट संख्या 183 के पश्चिमी भाग से गुजरती हुई बिंदु 18 पर मिलती है (मौजा-बेनाबंदी के प्लाट संख्या 182 के उत्तर पश्चिम छोर तथा मौजा-बेनाबंदी जे.एल. सं. 11 एवं मौजा-बालीजुरी जे.एल. सं. 16 के सम्मिलित बिंदु) जिसे योजना में निरूपित किया गया है ।
- 18-19-20-21-22-23 रेखा, मौजा-बेनाबंदी जे.एल. सं. 11 तथा बालीजुरी जे.एल. सं. 16 के सम्मिलित बिंदु 18 से शुरू होती है और प्लाट संख्या 1552, 1551 के मध्य, प्लाट संख्या 1553 के उत्तर-पूर्व भाग, प्लाट संख्या 1548, 1547, 1544, 1535, 1527, 2106 के दक्षिणी रेखा, प्लाट संख्या 1524 के पूर्वी रेखा से गुजरती हुई बिंदु 19 पर मिलती है । रेखा, बिंदु 19 से शुरू होकर प्लाट संख्या 1524 के पूर्वी रेखा, प्लाट संख्या 1525 के मध्य पूर्वी भाग, प्लाट संख्या 1508, 1509, 1504 के मध्य, प्लाट संख्या 1500, 1498, 428, 426, 423, 419, 420 के दक्षिणी रेखा, प्लाट संख्या 336 के उत्तरी रेखा, प्लाट संख्या 335 के दक्षिणी भाग, प्लाट संख्या 324 के उत्तरी भाग, प्लाट संख्या 326 के उत्तरी रेखा 328 के मध्य 331 के दक्षिणी भाग, प्लाट संख्या 2116 के दक्षिणी रेखा तक, प्लाट संख्या 256 के पूर्वी रेखा से गुजरती हुई बिंदु 20 पर मिलती है । रेखा, बिंदु 20 से शुरू होकर प्लाट संख्या 2116, 233 के दक्षिणी पश्चिमी रेखा, प्लाट संख्या 236 के दक्षिणी रेखा, प्लाट संख्या 256 के पूर्वी बिंदु से गुजरती हुई बिंदु 21 पर मिलती है । रेखा, बिंदु 21 से शुरू

होकर प्लाट संख्या 250, 251 के दक्षिणी रेखा, प्लाट संख्या 252, 255 के पूर्वी रेखा, प्लाट संख्या 254 के दक्षिणी रेखा से गुजरती हुई बिंदु 22 पर मिलती है, सभी बिंदु मौजा-बालीजुरी जे.एल. सं. 16 के अन्तर्गत है। (मौजा-बालीजुरी और सिरसा के सम्मिलित सीमा रेखा)। रेखा, बिंदु 22 से शुरू होती है और मौजा-सिरसा के प्लाट संख्या 2041, 2042, 2043 के पूर्वी रेखा से गुजरती हुई बिंदु 23 पर मिलती है (मौजा-बालीजुरी जे.एल. सं. 16 तथा मौजा-सिरसा जे.एल. सं. 17 के सम्मिलित बिंदु) जिसे योजना में निरूपित किया गया है।

23-24-25-26-27-1

रेखा, मौजा-बालीजुरी जे.एल. सं. 16 तथा मौजा-सिरसा जे.एल. सं. 17 के सम्मिलित बिंदु 23 से शुरू होती है और प्लाट संख्या 2040, 2039 के दक्षिणी रेखा, प्लाट संख्या 1968 के पश्चिमी भाग, प्लाट संख्या 2344 के दक्षिणी रेखा से प्लाट संख्या 1946 के पूर्वी रेखा के मध्य बिंदु तक, गुजरती हुई बिंदु 24 पर मिलती है। रेखा, बिंदु 24 से शुरू होकर प्लाट संख्या 1946 के पूर्वी रेखा से गुजरती हुई बिंदु 25 पर मिलती है। रेखा, बिंदु 25 से शुरू होकर प्लाट संख्या 1946, 1945, 1944 के दक्षिणी रेखा से गुजरती हुई बिंदु 26 पर मिलती है। रेखा, बिंदु 26 से शुरू होकर प्लाट संख्या 2058 के उत्तरी भाग से गुजरती हुई बिंदु 27 पर मिलती है। रेखा, बिंदु 27 से शुरू होकर प्लाट संख्या 728 के उत्तरी रेखा से गुजरती हुई मौजा-सिरसा जे.एल. सं. 17 के बिंदु 1 पर मिलती है (प्रस्तावित क्षेत्र का प्रारंभिक बिंदु) जिसके सभी बिंदु मौजा-सिरसा जे.एल. सं. 17 के अन्तर्गत है जिसे योजना में निरूपित किया गया है।

[फा. सं. 43015/28/2009-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 16th December, 2010

S. O. 3134.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 97 dated the 4th January, 2010 issued under sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, in Part II, Section 3, sub-section (ii) dated the 9th January, 2010, the Central Government gave notice of its intention to prospect for coal in 229.20 hectares or 566.12 acres (approximately) (210.20 hectares for 'all rights' and 19.00 hectares for 'mining rights') of the lands in the locality specified in the Schedule annexed to that notification:

And, whereas the Central Government is satisfied that Coal is obtainable in a part of the said land prescribed in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the land measuring 229.20 hectares (approximately) or 566.12 acres (approximately) for ('all rights' in 210.20 hectares and 'mining rights' in 19.00 hectares) as described in the schedule appended, hereto.

Note 1: The plan bearing number GM/JNR/LAND/CBA/10/01 dated the 24th June, 2010 of the area covered by this notification may be inspected in the Office of the Collector, Burdwan (West Bengal), or in the Office of the Coal Controller, 1, Council House Street, Kolkata-700 001, or in the Office of the Director Technical (Project and Planning), Eastern Coalfields Limited, Sanctoria, Post Office-Dishergarh, Dist.-Burdwan -713 333 (West Bengal).

Note 2 : Attention is hereby invited to the provisions of Section 8 of the said Act which provides as follows :—

Objection to acquisition :

“8 (1) Any persons interested in respect of which a notification under Section 7 has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such land.

Explanation —

(1) It shall not be an objection within the meaning of this section of any person to say that he himself desires to undertake mining operation in the land or the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different report of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.

(3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.”

Note 3 : The Coal Controller, 1, Council House Street, Kolkata 700 001 has been appointed by the Central Government as the competent authority under Section 3 of the said Act, vide notification number S.O. 2520, dated the 11th June, 1983.

SCHEDULE
JHANJRA-KALIPUR GEOLOGICAL BLOCK,
DISTRICT BURDWAN (WEST BENGAL)

(Plan bearing number: GM/JNR/LAND/CBA/10/01, dated the 24th June, 2010)

All Rights :

Sl. No.	Mouza (Village)	J.L. number	Police Station (Thana)	District	Area in hectares	Remarks
1.	Sirsha	17	Faridpur	Burdwan	48.00	part
2.	Balijuri	16	Faridpur	Burdwan	69.00	part
3.	Madhaigani	24	Faridpur	Burdwan	39.80	part
4.	Benebandi	11	Faridpur	Burdwan	29.60	part
5.	Srikrishnapur	9	Faridpur	Burdwan	23.80	part

Total: 210.20 (approximately)

Mining Rights :

1.	Balijuri	16	Faridpur	Burdwan	19.00	part
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Total: 19.00 (approximately)

Land Schedule for extended area for 2nd Continuous Miner at Jhanjra Area

Mouza-Balijuri

J. L. Number.-16

P.S.-Faridpur

R. S. Plot numbers :—(All Rights)

5(P), 33(P), 46(P), 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104(P), 105(P), 106, 107(P), 108(P), 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135(P), 136, 137, 138, 139, 140, 141(P), 145(P), 171(P), 172, 173(P), 174(P), 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189(P), 190(P), 191, 192, 196(P), 225(P), 226, 227, 229, 230, 231, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 324(P), 327, 328(P), 331(P), 332, 333, 334, 335(P), 419, 420, 421(P), 423, 424(P), 425, 426, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 439(P), 440(P), 542(P), 587, 588, 589, 1247, 1248, 1256, 1257, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301(P), 1307, 1308, 1363(P), 1365, 1366, 1369, 1370, 1371, 1373, 1374, 1375(P), 1447(P), 1465(P), 1466, 1467, 1468, 1469, 1470(P), 1476(P), 1477(P), 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1504(P), 1508(P), 1509(P), 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525(P), 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1544, 1545, 1546, 1547, 1548, 1549(P), 1550, 1551(P), 1552(P), 56/2067, 113/2068, 101/2070, 140/2080, 248/2084, 1248/2103, 1467/2104, 1524/2106, 233/2116, 174/2128(P), 174/2129.

Mouza-Balijuri (Under Village-Balijuri)

J. L. Number -16

P. S. -Faridpur

R. S. Plot numbers :—(Mining Rights)

135(P), 141(P), 142, 143, 144, 145(P), 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171(P), 173(P), 174(P), 189(P), 190(P), 193, 194, 195, 196(P), 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225(P), 228, 232, 421(P), 424(P), 438, 439(P), 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 525(P), 533, 535, 536, 537, 538, 539, 540, 541, 542(P), 543, 544, 545, 546, 547, 548, 550, 556, 567, 568, 569, 570, 571, 572, 573, 574, 576(P), 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 594(P), 595(P), 567, 2073, 206, 2081, 160/2082, 210/2083, 424/2087, 424/2088, 501/2089, 205/2112, 168/2113, 168/2114, 151/2115, 574/2121, 578/2122(P), 174/2128(P), 1446(P), 1447(P), 1470(P), 1471, 1472, 1473, 1474, 1475, 1476(P), 1477(P).

Mouza -Sirsha

J. L. Number -17

P. S.- Faridpur

R. S. plot numbers :—(All Rights)

843(P), 1169(P), 1676(P), 1677(P), 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706(P), 1707, 1708, 1709, 1710, 1743, 1755, 1756, 1757, 1758, 1759, 1761(P), 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780,

1781,1782, 1783,1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799,1800,1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850,1851, 1852,1853, 1854, 1855, 1858, 1859, 1944, 1945(P), 1946, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968(P),1969, 1970, 1971, 1972, 1973,1974,1975,1976,1977,1978,1979,1980,1981,1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990,1991, 1992,1993, 1994,1995, 1996, 1997,1998, 1999,2000,2001,2002,2003,2004, 2005, 2006, 2007,2008,2009,2010, 2011,2012,2013,2014,2015,2016,2017, 2018,2019,2020,2021,2022,2023,2024,2025,2026,2027,2028,2029,2030,2031,2032, 2033,2034,2035,2036,2037,2038,2039,2040,2041,2042,2043,2058(P), 1684/2343, 1968/2344, 1793/2378, 1737/2384.

Mouza-Madhaiganj J. L. Number-24 P. S. - Faridpur

R. S. Plot numbers. :— (All Rights)

34(P), 35, 36, 37, 38, 39(P), 155, 156, 157, 158(P), 311 (P), 312, 313, 314, 315, 316, 317, 318, 319(P), 320, 321 (P), 322, 323, 324(P), 325(P), 326(P) 331(P).

Mouza-Benebandi J. L. Number-11 P. S. - Faridpur

R. S. Plot numbers :— (All Rights)

143(P), 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180(P), 181, 182, 183(P), 215.

Mouza-Srikrishnapur J. L. Number-9 P. S. -Faridpur

R. S. Plot numbers. :— (All Rights)

1811(P).

Line Boundary description :

- 1-2-3-4 Line starts from point 1 (Starting point of proposed area) Eastern part of Plot No. 843 of Mouza -Sirsha, J.L.No.-17 and passes along Southern line of Plot No. 1168 and meets at Point 2. Line starts from point 2 South-East corner of Plot No. 1168 and passes along middle of 1169 Northern part of Plot No. 2058, Northern line of Plot No. 1944, middle of Plot No. 1945, Northern line of Plot No. 1946 and meets at point 3. Line starts from point 3 and passes along Western line of Plot No. 1961, Eastern part of Plot No. 2377, Northern line of plot No. 1855,1858,1859, Southern part of Plot No. 1676, 1677, Northern line of Plot No. 1679, 1680, 1691, 1692, 1693, 1695,1698,1699, 1710, 1707, 1705, middle of 1706 Northern line of 1755,1759, middle of Plot No. 1761 Northern part of Plot No. 1762, Northern line of Plot No. 1743, Northern & Eastern line of Plot No. 1763, Northern line of Plot No. 2384, all plots are in Mouza-Sirsha, J. L. No. 17 and meets at Point 4 (Common point of Mouza-Sirsha, J. L. No. 17 & Mouza- Balijuri, J.L.No. 16) as delineated on plan.
- 4-5 Line starts from point 4 common point of Mouza- Sirsha, J. L.No. 17 & Mouza Balijuri, J. L. No. 16 and passes along Northern part of Plot No.108 of Mouza-Balijuri, J. L. No.-16, middle of Plot No. 107, Southern part of Plot No. 5, Northern part of Plot No. 105, Northern line of Plot No.103, Northern line of Plot No. 101, 2070, middle of Plot No. 33, 46, Northern line of Plot No.47, Eastern line of Plot No. 49, 50, Northern line of Plot No. 54, Northern-Eastern part of Plot No.589, middle of Plot No.594,595, Eastern line of Plot No. 582, Southern part of Plot No. 578, Northern part of Plot No.577, Eastern line of Plot No.579, 574, 573, Northern line of Plot No. 566, middle of Plot No. 551, 549, Northern line of Plot No.533, 535, 521, middle of 1446, Northern part of 1470, Northern part of Plot No.1447, Northern line of Plot No.1467, 1466, middle of Plot No.1465, Northern line of Plot No. 1371, 1369, 1366, 1365, middle of Plot No.1363, Northern line of Plot No. 1515, 1516, 1518, Western & Northern line of Plot No. 1308, Northern line of Plot No.1307, middle of Plot No. 1301, Northern line of Plot No. 1247, middle of Plot No.1248, Eastern line of Plot No.1265, Northern line of Plot No.1256, plots are in Mouza- Balijuri, J.L.No.16 and meets at Point 5(Common point of Mouza-Balijuri, J.L.No.16 & Mouza-Benebandi, J.L.No. 11) as delineated on plan.
- 5-5A Line starts from point 5 Common point of Mouza-Balijuri, J.L.No.16 & Mouza-Benebandi,J.L. No. 11 and passes along Eastern line of Plot No.1257, 1261, of Mouza-Balijuri, J.L.No.16 and meets at Point 5A of Mouza-Balijuri, J. L. No. 16 as delineated on plan.
- 5A-6 Line starts from point 5A South-East corner of Plot No. 1261 and passes along Southern line of Plot No.1260 and meets at Point 6(Common point of Mouza-Benebandi, J. L. No.11 & Mouza- Balijuri, J.L.No.16) as delineated on plan.
- 6-7 Line starts from Point 6 Common point of Mouza- Balijuri, J.L.No.16 & Mouza Benebandi, J. L. No.11 and passes along Northern line of Plot No. 171, 170, Eastern line of plot No. 177, 178 Western part of Plot No.180, Northern part of Plot No.183 and meets at Point 7 of Mouza- Benebandi, J. L. No. 11 as delineated on plan.

- 7-8 Line starts from point 7 of Mouza-Benebandi, J. L. No.11 and passes along Northern part of Plot No.183, South-West corner part of Plot No.143, and meets at Point 8(Common point of Mouza-Benebandi, J.L.No.11 & Srikrishnapur J.L.No.9) as delineated on plan.
- 8-9 Line starts from point 8 Common point of Mouza- Benebandi, J. L. No. 11 & Srikrishnapur J. L. No. 9 and passes along middle-North of Plot No. 1811 and meets at Point 9 in middle of Plot No. 1811 of Mouza-Srikrishnapur, J.L.No.9 as delineated on plan.
- 9-10 Line starts from point 9 of Mouza-Srikrishnapur, J. L.No.9 and passes along middle-East of Plot No.1811 and meets at Point 10 (Common point of Mouza- Srikrishnapur, J. L. No. 9 & Madhaiganj, J. L. No.24 as delineated on plan.
- 10-11 Line starts from point 10 Northern point of Plot No.331 Common point of Mouza-Srikrishnapur, J.L.No.9 & Madhaiganj, J.L. No. 24 and passes along middle of Plot No.319, East of Plot No. 320, middle of Plot No.321, West of Plot No. 326, Western part of Plot No. 325, Eastern part of Plot No.324, middle of Plot No. 311, South western part of plot no.158 and meets at Point 11 (South-East corner of Plot No.159 of Madhaiganj, J.L.No.24) as delineated on plan.
- 11-12-13-14-15-16-17 Line starts from point 11 of Mouza- Madhaiganj, J.L.No.24 and passes along North-East line of Plot No. 159 and meets at Point 12. Line starts from point 12 and passes along West part of Plot No. 158 and meets at Point 13. (South-East corner of plot no. 37). Line starts from point 13 and passes along Southern line of Plot No.37 and meets at Point 14. Line starts from point 14 and passes along Eastern line of Plot No. 38 and meets at Point 15. Line starts from point 15 and passes along Southern line of Plot No.38 and meet at Point 16. Line starts from point 16, and passes along Western line of Plot No. 38, middle-East of Plot No. 39, middle of Plot No. 34 all points passes through Mouza- Madhaiganj and meets at Point 17.(South-East point of Plot No.31 of Mouza- Madhaiganj. Also common point of Mouza-Madhaiganj J.L.No.24 & Benebandi J.L.No.11) as delineated on plan.
- 17-18 Line starts from point 17 common point of Mouza- Madhaiganj J.L.No.24 & Benebandi J.L.No.11 and passes along Western part of Plot No. 183 of Mouza-Benebandi and meets at Point 18 (North-West corner of Plot No. 182 of Mouza-Benebandi and Common point of Mouza- Benebandi, J. L. No.11 & Balijuri, J. L. No.16) as delineated on plan.
- 18-19-20-21-22-23 Line starts from point 18 Common point of Mouza Benebandi, J.L.No. 11 & Balijuri, J.L.No.16 and passes along middle of Plot No. 1552, 1551, North-East part of Plot No.1553, Southern line of Plot No.1548, 1547, 1544, 1535, 1527, 2106 to Eastern line of Plot No. 1524 and meets at Point 19. Line starts from point 19 and passes along Eastern line of Plot No. 1524, middle - Eastern part of Plot No. 1525, middle of Plot No. 1508, 1509, 1504, Southern line of Plot No. 1500, 1498, 428, 426, 423, 419, 420, Northern line of Plot No. 336, Southern part of Plot No. 335, Northern part of Plot No.324, Northern line of Plot No. 326, middle of Plot No. 328, Southern part of Plot No. 331 to Southern line of Plot No. 2116, Eastern line of Plot No. 256 and meets at Point 20. Line starts from point 20 and passes along South-Western line of Plot No. 2116, 233, Southern line of Plot No. 236, Eastern point of Plot No. 256 and meets at Point 21. Line starts from point 21 and passes along Southern line of Plot No. 250, 251, Eastern line Plot No. 252, 255, Southern line of Plot No. 254 and all points are in Mouza- Balijuri, J.L.No.16 and meets at Point 22.(Common boundary of Mouza- Balijuri & Sirsha). Line starts from point 22 and passes along Eastern line Plot No.2041, 2042, 2043 of Mouza- Sirsha and meets at Point 23.(Common point of Mouza- Balijuri, J.L.No.16 & Sirsha, J.L.No. 17). as delineated on plan.
- 23-24-25-26-27-1 Line starts from point 23 Common point of Mouza-Balijur, J.L.No. 16 & Mouza-Sirsha, J.L.No.17 and passes along Southern line of Plot No. 2040, 2039, western part of 1968 Southern line of 2344 to middle point of Eastern line of Plot No.1946 and meets at Point 24. Line starts from point 24 and passes along Eastern line Plot No.1946 and meets at Point 25. Line starts from point 25 and passes along Southern line of Plot No. 1946, 1945, 1944 and meets at Point 26. Line starts from point 26 and passes along Northern part of Plot No. 2058 and meets at Point 27. Line starts from point 27 and all points are in Mouza- Sirsha, J.L. No. 1 and passes along Northern line of Plot No. 728 and meets at Point 1 (Starting point of proposed area) of Mouza-Sirsha, J.L. No. 17 as delineated on plan.

[F. No. 43015/28/2009-PRIW-I]

M. SHAHABUDEEN, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 18 दिसम्बर, 2010

का.आ. 3135.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पारादीप (उड़ीसा) से रायपुर (छत्तीसगढ़) एवं राँची (झारखण्ड) तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा "पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन" बिछाई जानी चाहिये;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिये यह आवश्यक प्रतीत होता है कि ऐसी भूमि, जिसके नीचे पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए, उसमें उपयोग के अधिकार का अर्जन करने के संबंध में श्री प्रेम चन्द्र वर्मा, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन परियोजना, ग्राउंड फ्लोर, बी-ब्लॉक, शाहदेव टावर, पी.पी. कम्पाउन्ड, राँची-834001 (झारखण्ड) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

अंचल-मुरहू जिला-खूंटी राज्य-झारखण्ड

गाँव का नाम खसरा सं. क्षेत्रफल

हेक्टेयर एकर वग माटर

(1) (2) (3) (4) (5)

पोकला-251	774	00	03	19
	773	00	10	99
	769	00	06	57
	768	00	08	03
	770	00	02	30
	772	00	02	21
	765	00	00	10
	767	00	02	79
	775	00	03	41
	776	00	07	98
	766	00	02	18

(1)	(2)	(3)	(4)	(5)
पोकला-251	777	00	00	75
	763	00	03	37
	764	00	07	96
	791	00	08	69
	792	00	15	40
	794	00	00	90
	795	00	01	70
	800	00	06	89
	797	00	01	49
	798	00	08	25
	799	00	00	38
	238	00	00	62
	239	00	25	21
	839	00	01	97
	236	00	41	92
	231	00	05	12
	225	00	11	47
	226	00	05	12
	227	00	14	46
	217	00	09	56
	218	00	17	07
	158	00	10	69
	159	00	00	10
	205	00	13	92
	206	00	05	21
	204	00	02	06
	203	00	05	75
	151	00	01	32
	60	00	12	45
	63	00	06	36
	62	00	00	10
	61	00	00	57
	59	00	00	74
	101	00	03	24
	102	00	00	60
	107	00	07	65
	108	00	08	49
	113	00	03	63
	109	00	01	20
	112	00	08	08
	117	00	03	10

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
चारिद-252	118	00	20	54	हाँसा-253	51	00	04	37
	123	00	05	21		54	00	12	37
	124	00	00	10		49	00	02	66
	125	00	02	03		48	00	05	24
	126	00	01	70		47	00	31	22
	175	00	00	88		34	00	00	76
	176	00	00	86		135	00	16	68
	179	00	16	09		116	00	00	77
	178	00	00	17		158	00	16	54
	193	00	04	21		159	00	00	81
	195	00	05	52		140	00	09	81
	194	00	05	32		152	00	15	42
	197	00	06	69		147	00	07	96
	224	00	10	75		146	00	00	25
	236	00	01	23		196	00	02	66
	290	00	03	00		197	00	01	30
	289	00	00	52		198	00	04	46
	287	00	00	93		199	00	00	70
	261	00	21	16		200	00	00	10
	281	00	03	78		2184	00	00	10
	284	00	01	91		214	00	03	64
	305	00	04	38		211	00	07	28
	306	00	04	43		203	00	00	10
	307	00	18	89		209	00	04	70
	310	00	08	61		210	00	04	44
	311	00	06	49		235	00	19	70
	312	00	00	16		234	00	00	24
	314	00	03	37		236	00	15	47
	322	00	12	41		242	00	04	44
	319	00	00	56		245	00	08	40
	318	00	04	57		243	00	11	85
	316	00	01	67		244	00	06	82
	331	00	00	61		247	00	07	02
	332	00	06	74		248	00	09	33
	333	00	00	57		249	00	01	55
	335	00	09	08	गजगाँव-254	405	00	04	36
	334	00	00	22		422	00	12	57
	336	00	03	10		423	00	07	40
	111	00	01	53		420	00	07	33
पेरवा-255	172	00	10	53		418	00	07	48
	170	00	06	65		417	00	00	10
	1691	00	02	24		419	00	03	53
	178	00	13	85		432	00	02	29
हाँसा-253	80	00	04	14		431	00	07	85
	50	00	04	18		434	00	03	10
						475	00	03	18

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
गजगाँव-254	474	00	06	85	गजगाँव-254	324	00	06	71
	473	00	11	78		323	00	03	76
	472	00	04	63		320	00	00	10
	446	00	02	09		184	00	00	10
	461	00	00	10		185	00	09	21
	469	00	13	17		186	00	05	27
	454	00	00	64		187	00	02	90
	455	00	04	97		296	00	03	01
	466	00	18	76		297	00	02	28
	497	00	00	10		298	00	08	72
	465	00	06	75		299	00	12	02
	500	00	05	67		303	00	18	18
	463	00	00	16		300	00	00	38
	462	00	04	71		301	00	09	73
	501	00	13	54		288	00	12	08
	866	00	08	00		286	00	24	04
	864	00	00	10		282	00	04	51
	865	00	01	32		283	00	00	89
	863	00	05	87		281	00	01	21
	868	00	04	47		201	00	01	66
	872	00	02	41		287	00	00	10
	875	00	09	33	गानालोया-273	95	00	15	31
	874	00	00	47		97	00	00	10
	877	00	06	75		96	00	10	63
	878	00	01	86		94	00	13	19
	855	00	02	14		93	00	06	10
	1261	00	03	34		92	00	13	60
	906	00	01	20		89	00	00	10
	907	00	19	61		1518	00	00	32
	908	00	03	75		111	00	18	57
	956	00	09	09		86	00	00	58
	957	00	00	10		88	00	00	10
	955	00	02	74		85	00	05	44
	965	00	04	85		22	00	02	90
	970	00	00	52		23	00	03	48
	969	00	05	04		20	00	08	63
	964	00	00	10		25	00	00	39
	968	00	06	51		18	00	02	26
	966	00	03	79		17	00	12	24
	967	00	04	58		14	00	01	49
	974	00	02	25		16	00	00	49
	327	00	01	32		15	00	07	64
	976	00	07	61		1515	00	05	27
	975	00	05	51		182	00	01	45
	326	00	00	12		184	00	10	36
	325	00	05	46		189	00	07	59

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
गानालोया-273	188	00	09	05	औसकेया-268	745	00	03	67
	186	00	01	92		998	00	01	39
	187	00	02	13		746	00	04	09
	192	00	04	19		747	00	01	76
	195	00	02	64		999	00	00	10
	260	00	00	23		750	00	12	28
	248	00	02	68		748	00	00	10
	249	00	03	26		749	00	00	70
	250	00	01	05		751	00	00	66
	251	00	04	03		379	00	12	58
	252	00	01	42		380	00	04	96
	253	00	03	87		381	00	11	70
	258	00	00	74		386	00	01	16
	257	00	04	09		384	00	02	52
	278	00	00	10		391	00	07	59
	255	00	08	04		392	00	05	12
	281	00	03	41		366	00	01	33
	312	00	29	80		364	00	05	00
	314	00	00	43		358	00	00	10
	325	00	04	44		360	00	12	22
	326	00	00	10		361	00	00	49
	329	00	30	48		359	00	11	09
	311	00	03	66		1018	00	05	47
	334	00	00	84		353	00	08	82
	333	00	03	36		350	00	08	13
	331	00	00	10		351	00	03	49
	332	00	03	36		292	00	01	39
	337	00	09	39		293	00	09	51
	322	00	08	95		291	00	00	66
	338	00	04	08		259	00	02	89
	421	00	16	21		280	00	00	10
	423	00	04	94		278	00	08	51
	622	00	09	16		276	00	09	04
औसकेया 268	768	00	04	92		279	00	01	27
	762	00	00	35		275	00	01	93
	995	00	03	95		105	00	00	10
	763	00	01	45		106	00	05	89
	753	00	07	04		274	00	00	28
	764	00	01	01		107	00	00	54

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
औसकेया-268	108	00	00	25	तोनेर-269	59	00	02	18
	103	00	08	10		266	00	13	96
	102	00	14	16		264	00	00	41
	101	00	07	05		267	00	00	68
	100	00	00	77		265	00	03	98
	94	00	08	61		268	00	06	72
	96	00	08	24		269	00	06	41
	93	00	05	79		246	00	02	35
	97	00	00	51		247	00	00	79
	88	00	08	94		241	00	09	77
	6	00	13	44		236	00	00	10
	7	00	08	79		237	00	03	36
	3	00	10	53		238	00	04	46
	1	00	11	13		240	00	05	59
तोनेर-269	990	00	00	71		239	00	10	54
	989	00	03	96		320	00	00	10
	988	00	07	26		505	00	01	52
	987	00	02	71		498	00	03	04
	986	00	04	06		497	00	00	45
	985	00	08	30		469	00	04	90
	971	00	11	01		495	00	00	35
	970	00	10	39		468	00	02	65
	969	00	02	42		470	00	06	86
	968	00	14	46		471	00	00	80
	99	00	08	67		467	00	04	41
	98	00	00	90		465	00	04	15
	92	00	00	66		464	00	05	20
	97	00	03	83		463	00	00	10
	95	00	07	96		460	00	01	66
	94	00	08	28		461	00	08	72
	87	00	03	96		462	00	00	26
	107	00	03	20		458	00	04	62
	108	00	13	27		457	00	02	63
	109	00	08	51		454	00	04	48
	110	00	01	04		432	00	00	96
	85	00	00	10		453	00	01	29
	111	00	06	02		455	00	00	19
	112	00	06	77		452	00	04	09
	69	00	02	33		448	00	03	30
	60	00	17	58		447	00	04	67

(1)	(2)	(3)	(4)	(5)
तोनेर-269	435	00	00	10
	446	00	00	67
	443	00	05	34
	442	00	07	57
	441	00	01	87
	398	00	02	65
	400	00	07	27
	395	00	03	57
	394	00	16	57
	59	00	00	60
बालो-270	60	00	08	93
	62	00	03	24
	63	00	01	81
	64	00	05	39
	65	00	02	84
	66	00	02	99
	67	00	00	10
	50	00	04	06
	68	00	02	28
	44	00	07	45
	42	00	13	48
	78	00	01	93
	79	00	01	13
	87	00	01	12
	85	00	03	46
	86	00	03	75
	84	00	06	29
	88	00	00	73
	90	00	00	10
	91	00	04	59
	93	00	00	57
	94	00	02	36
	80	00	09	23
	149	00	00	99
	30	00	00	10
	150	00	12	05
	148	00	00	25
	181	00	01	01
	179	00	04	31
	180	00	00	40
	177	00	02	97
	176	00	18	63
	207	00	13	03
	209	00	00	28
	210	00	13	79

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 18th December, 2010

S.O. 3135.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Paradip (Orissa) to Raipur (Chhattisgarh) & Ranchi (Jharkhand) a "Paradip - Sambalpur - Raipur - Ranchi Pipeline" should be laid by Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Any person interested in the land described in the said schedule may, within twenty-one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the General Public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Prem Chandra Verma, Competent Authority, Indian Oil Corporation Limited, Paradip - Sambalpur - Raipur - Ranchi Pipeline Project, Ground Floor, B-Block, Shahdeo Tower, P.P. Compound, Ranchi-834001 (Jharkhand).

SCHEDULE

Anchal: Murhu		District: Khunti		State: Jharkhand	
Name of the Village		Khasra No.		Area	
		Hre	Are	Sq. mtr.	
(1)	(2)	(3)	(4)	(5)	
Pokla-251	774	00	03	19	
	773	00	10	99	
	769	00	06	57	
	768	00	08	03	
	770	00	02	30	
	772	00	02	21	
	765	00	00	10	
	767	00	02	79	
	775	00	03	41	
	776	00	07	98	
	766	00	02	18	
	777	00	00	75	
	763	00	03	37	
	764	00	07	96	
	791	00	08	69	
	792	00	15	40	
	794	00	00	90	
	795	00	01	70	

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Pokla-251	800	00	06	89	Charid-252	197	00	06	69
	797	00	01	49		224	00	10	75
	798	00	08	25		236	00	01	23
	799	00	00	38		290	00	03	00
	238	00	00	62		289	00	00	52
	239	00	25	21		287	00	00	93
	839	00	01	97		261	00	21	16
	236	00	41	92		281	00	04	78
	231	00	05	12		284	00	01	91
	225	00	11	47		305	00	04	38
	226	00	05	12		306	00	04	43
	227	00	14	46		307	00	18	89
	217	00	09	56		310	00	08	61
	218	00	17	07		311	00	06	49
	158	00	10	69		312	00	00	16
	159	00	00	10		314	00	03	37
	205	00	13	92		322	00	12	41
	206	00	05	21		319	00	00	56
	204	00	02	06		318	00	04	57
	203	00	05	75		316	00	01	67
Charid-252	151	00	01	32	Perka-255	331	00	00	61
	60	00	12	45		332	00	06	74
	63	00	06	36		333	00	00	57
	62	00	00	10		335	00	09	08
	61	00	00	57		334	00	00	22
	59	00	00	74		336	00	00	10
	101	00	03	24		111	00	00	53
	102	00	00	60		772	00	10	53
	107	00	07	65		776	00	05	65
	108	00	08	49		1091	00	02	24
	113	00	03	63		778	00	13	85
	109	00	01	20	Hansa-253	50	00	04	14
	112	00	08	08		52	00	04	18
	117	00	03	10		51	00	04	37
	118	00	20	54		54	00	12	37
	123	00	05	21		49	00	02	66
	124	00	00	10		48	00	05	24
	125	00	02	03		47	00	31	22
	126	00	01	70		34	00	00	76
	175	00	00	88		135	00	16	68
	176	00	09	56		136	00	00	77
	179	00	16	09		138	00	16	54
	178	00	00	17		139	00	00	81
	193	00	04	21		140	00	09	81
	195	00	05	52		152	00	15	42
	194	00	05	32		147	00	07	96

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Hansa-253	146	00	00	25	Gajgaon-254	462	00	04	71
	196	00	02	66		501	00	13	54
	197	00	01	50		866	00	08	00
	198	00	04	46		864	00	00	10
	199	00	00	79		865	00	01	32
	200	00	00	10		863	00	05	87
	2184	00	00	10		868	00	04	47
	214	00	03	64		872	00	02	41
	211	00	07	28		875	00	09	33
	203	00	00	10		874	00	00	47
	209	00	04	70		877	00	06	75
	210	00	04	44		878	00	01	86
	235	00	19	70		855	00	02	14
	234	00	00	24		1261	00	03	34
	236	00	15	47		906	00	01	20
	242	00	04	44		907	00	19	61
	245	00	08	40		908	00	03	75
	243	00	11	85		956	00	09	09
	244	00	06	82		957	00	00	10
	247	00	07	02		955	00	02	74
	248	00	09	33		965	00	04	85
	249	00	01	55		970	00	00	52
Gajgaon-254	405	00	04	36		969	00	05	04
	422	00	12	57		964	00	00	10
	423	00	07	40		968	00	06	51
	420	00	07	33		966	00	03	79
	418	00	07	48		967	00	04	58
	417	00	00	10		974	00	02	25
	419	00	03	53		327	00	01	32
	432	00	02	29		976	00	07	61
	431	00	07	85		975	00	05	51
	434	00	03	10		326	00	00	12
	475	00	03	18		325	00	05	46
	474	00	06	85		324	00	06	71
	473	00	11	78		323	00	03	76
	472	00	04	63		320	00	00	10
	446	00	02	09		184	00	00	10
	461	00	00	10		185	00	09	21
	469	00	13	17		186	00	05	27
	454	00	00	64		187	00	02	90
	455	00	04	97		296	00	03	01
	466	00	18	76		297	00	02	28
	497	00	00	10		298	00	08	72
	465	00	06	75		299	00	12	02
	500	00	05	67		303	00	18	18
	463	00	00	16		300	00	00	38

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Gajgaon-254	301	00	09	73	Ganaloys-273	332	00	03	36
	288	00	12	08		337	00	09	39
	286	00	24	04		322	00	08	95
	282	00	04	51		338	00	04	08
	283	00	00	89		421	00	16	21
	281	00	01	21		423	00	04	94
	201	00	01	66		622	00	09	16
	287	00	00	10	Oskeya-268	768	00	04	92
Ganaloys-273	95	00	15	31		762	00	00	35
	97	00	00	10		995	00	03	95
	96	00	10	63		763	00	01	45
	94	00	13	19		753	00	07	04
	93	00	06	10		764	00	01	01
	92	00	13	60		745	00	03	67
	89	00	00	10		998	00	01	39
	1518	00	00	32		746	00	04	09
	111	00	18	57		747	00	01	76
	86	00	00	58		999	00	00	10
	88	00	00	10		750	00	12	28
	85	00	05	44		748	00	00	10
	22	00	02	90		749	00	00	70
	23	00	03	48		751	00	00	66
	20	00	08	63		379	00	12	58
	25	00	00	39		380	00	04	96
	18	00	02	26		381	00	11	70
	17	00	12	24		386	00	01	16
	14	00	01	49		384	00	02	52
	16	00	00	49		391	00	07	59
	15	00	07	64		392	00	05	12
	1515	00	05	27		366	00	01	33
	182	00	01	45	Oskeya-268	364	00	05	00
	184	00	10	26		358	00	00	10
	189	00	07	59		360	00	12	22
	188	00	09	05		361	00	00	49
	186	00	01	92		359	00	11	09
	187	00	02	13		1018	00	05	47
	192	00	04	19		353	00	08	82
	195	00	02	64		350	00	08	13
	260	00	00	23		351	00	03	49
	248	00	02	68		292	00	01	39
	249	00	03	26		293	00	00	51
	250	00	01	05		291	00	00	66
	251	00	04	03		259	00	02	89
	252	00	01	42		280	00	00	10
	253	00	03	87		278	00	08	51
	258	00	00	74		276	00	09	04
	257	00	04	09		279	00	01	27
	278	00	00	10		275	00	01	93
	255	00	08	04		105	00	00	10
	281	00	03	41		106	00	05	89
	312	00	29	80		274	00	00	28
	314	00	00	43		107	00	00	54
	325	00	04	44		108	00	00	25
	326	00	00	10		103	00	08	10
	329	00	30	48	Oskeya-268	102	00	14	16
	311	00	03	66		101	00	07	05
	334	00	00	84		100	00	00	77
	333	00	03	36		94	00	08	61
	331	00	00	10		96	00	08	24

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Oskeya-268	93	00	05	79	Toner-269	464	00	05	20
	97	00	00	51		463	00	00	10
	88	00	08	94		460	00	01	66
	6	00	13	44		461	00	08	72
	7	00	08	79		462	00	00	26
	3	00	10	53		458	00	04	62
Toner-269	1	00	11	13	Balo-270	457	00	02	63
	990	00	00	71		454	00	04	48
	989	00	03	96		432	00	00	96
	988	00	00	26		453	00	01	20
	987	00	02	71		455	00	00	19
	986	00	04	06		452	00	04	09
	985	00	08	30		448	00	03	30
	971	00	11	01		447	00	01	67
	970	00	10	39		435	00	00	10
	969	00	02	42		446	00	00	67
	968	00	14	46		443	00	00	34
	99	00	08	67		442	00	07	57
	98	00	00	90		441	00	01	27
	92	00	00	66		398	00	01	65
	97	00	03	83		405	00	01	27
	95	00	07	96		395	00	03	57
	94	00	08	28		394	00	16	57
	87	00	03	96		59	00	00	60
	107	00	03	20		60	00	08	93
	108	00	13	27		62	00	03	24
	109	00	08	51		63	00	09	81
	110	00	01	04		64	00	05	39
	85	00	00	10		65	00	02	84
	111	00	06	02		66	00	02	99
	112	00	06	77		67	00	00	10
	69	00	02	33		50	00	04	06
	60	00	17	58		68	00	02	28
	59	00	02	18		44	00	07	45
	266	00	13	96		42	00	13	48
	264	00	00	41		78	00	01	93
	267	00	00	68		79	00	01	13
	265	00	03	98		87	00	01	12
	268	00	06	72		85	00	03	46
	269	00	06	41		86	00	03	75
	246	00	02	35		84	00	06	20
	247	00	00	79		88	00	00	75
	241	00	09	77		90	00	00	10
	236	00	00	10		91	00	04	59
	237	00	03	36		93	00	00	57
	238	00	04	46		94	00	02	36
	240	00	05	59		80	00	09	23
	239	00	10	54		149	00	00	99
	320	00	00	10		30	00	00	10
	505	00	01	52		150	00	12	05
	498	00	03	04		148	00	00	25
	497	00	00	45		181	00	01	01
	469	00	04	90		179	00	04	31
	495	00	00	35		180	00	00	40
	463	00	02	65		177	00	02	97
	470	00	06	86		176	00	18	63
	471	00	00	80		207	00	13	03
	467	00	04	41		209	00	00	28
	465	00	04	15		210	00	13	79

नई दिल्ली, 18 दिसम्बर, 2010

का.आ. 3136.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पारादीप (उड़ीसा) से रायपुर (छत्तीसगढ़) एवं राँची (झारखण्ड) तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा "पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन" बिछाई जानी चाहिये;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिये यह आवश्यक प्रतीत होता है कि ऐसी भूमि, जिसके नीचे पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए, उसमें उपयोग के अधिकार का अर्जन करने के संबंध में श्री प्रेम चन्द्र वर्मा, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन परियोजना, ग्राउंड फ्लोर, बी-ब्लॉक, सहादेव टावर, पी.पी. कम्पाउन्ड, राँची-834001 (झारखण्ड) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

अंचल-तोरपा	जिला-खूंटी	राज्य-झारखण्ड			
गांव का नाम	खसरा सं.	क्षेत्रफल			
		हेक्टेयर	एयर	वर्ग मीटर	
(1)	(2)	(3)	(4)	(5)	
सोनपुरगढ़-29	386	00	13	90	
	387	00	01	79	
	385	00	07	53	
	378	00	10	36	
	377	00	03	07	
	358	00	00	91	
	241	00	07	04	
	240	00	10	43	
	244	00	09	27	
	243	00	07	24	
	251	00	18	95	
	256	00	09	39	
	258	00	04	24	

(1)	(2)	(3)	(4)	(5)
सोनपुरगढ़-29	257	00	09	62
	259	00	05	80
	348	00	02	25
	350	00	00	34
	347	00	18	25
	346	00	09	48
	345	00	00	10
	344	00	00	10
	337	00	00	43
	338	00	15	12
	343	00	05	58
	333	00	03	40
	332	00	01	53
	322	00	02	03
	325	00	14	69
	326	00	10	91
	328	00	02	13
	317	00	12	41
	761	00	01	05
	775	00	06	73
	773	00	06	15
	772	00	05	34
	771	00	12	86
	766	00	06	75
	764	00	15	57
	763	00	27	62
	1607	00	11	85
	1606	00	08	37
	1605	00	13	19
	1604	00	08	59
	1602	00	03	08
	1592	00	03	23
	1593	00	11	95
	1594	00	02	-67
	1580	00	10	15
	1577	00	15	36
	1543	00	00	90
	1532	00	04	94
	1516	00	08	55
	1517	00	03	41
	1515	00	05	08
	1514	00	06	70
	1513	00	00	10

(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
1503	00	04	83	नावायेली - 33	234	00	03	66
1426	00	02	10		221	00	00	74
1427	00	09	20		220	00	12	01
1428	00	02	14		205	00	02	03
1429	00	00	36		213	00	02	04
1433	00	13	04		211	00	03	45
1392	00	07	46		212	00	04	08
1391	00	00	10		182	00	02	64
1434	00	09	65		184	00	06	83
1437	00	01	72		183	00	00	92
1390	00	00	10		186	00	03	14
1435	00	12	67		187	00	02	03
1356	00	00	40		188	00	00	76
1357	00	05	39		177	00	08	34
1358	00	07	73		178	00	04	00
1355	00	02	08		176	00	07	81
1326	00	01	35		165	00	16	15
1325	00	11	49		164	00	02	52
1322	00	18	31		163	00	18	82
1321	00	04	46	हुसिर-32	148	00	09	71
1320	00	00	77		13	00	23	26
106	00	08	71		145	00	03	12
109	00	02	39		144	00	00	11
110	00	00	11		143	00	00	57
108	00	05	82		14	00	05	83
111	00	01	00		16	00	02	82
112	00	00	84		139	00	00	36
133	00	03	69		19	00	11	44
274	00	08	52		138	00	02	48
278	00	04	54		21	00	00	10
270	00	05	50		20	00	05	19
271	00	00	10		24	00	00	10
273	00	00	10		112	00	04	37
268	00	02	86		114	00	00	78
267	00	00	22		117	00	00	10
269	00	00	62		115	00	00	21
266	00	00	20		113	00	03	41
265	00	10	02		106	00	09	87
250	00	01	43		41	00	05	85
231	00	03	05		42	00	06	94
232	00	09	68		43	00	06	27
230	00	09	79		44	00	08	81
229	00	07	43		45	00	07	24

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
हुसिर-32	46	00	03	38	हुसिर-32	1883	00	00	61
	78	00	04	45		1884	00	10	20
	57	00	05	05		1869	00	01	48
	58	00	00	17		1885	00	09	87
	56	00	02	70		1886	00	01	28
	55	00	00	10		1889	00	04	30
	54	00	17	64		1897	00	01	64
	1718	00	18	19		1896	00	00	34
	1726	00	04	94		1898	00	03	87
	1727	00	08	43		1899	00	06	73
	1728	00	06	49		1900	00	05	11
	1683	00	11	80	पैरा - 41	1704	00	23	34
	1739	00	03	05		1686	00	16	01
	1682	00	04	55		1685	00	01	86
	1681	00	04	06		1682	00	02	67
	1677	00	02	48		1683	00	01	92
	1678	00	05	31		1684	00	00	36
	1675	00	01	63		1673	00	20	90
	1674	00	01	06		1672	00	01	33
	1673	00	00	90		1671	00	01	46
	1672	00	06	25		1669	00	01	71
	1671	00	01	24		1670	00	13	42
	1670	00	00	10		1668	00	00	37
	1657	00	11	31		1667	00	00	70
	1659	00	01	00		1666	00	11	05
	1661	00	03	93		1657	00	06	69
	1660	00	02	21		1658	00	11	89
	1627	00	00	10		1615	00	01	21
	1654	00	07	48		1616	00	29	01
	1638	00	01	25		1617	00	01	72
	1637	00	02	10		1610	00	01	79
	1635	00	01	85		1618	00	07	60
	1636	00	04	99		1609	00	11	90
	1795	00	07	02		1608	00	10	58
	1798	00	01	12		1607	00	07	00
	1799	00	02	16		1606	00	05	40
	1797	00	11	33	कोमांग - 42	470	00	14	26
	1857	00	05	30		477	00	00	14
	1856	00	06	10		475	00	03	19
	1858	00	25	12		476	00	10	47
	1855	00	00	21		510	00	11	80
	1867	00	01	04		512	00	00	75
	1870	00	17	89		511	00	01	28

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
कोमांग - 42	509	00	02	12	गोपला - 43	571	00	04	45
	508	00	02	20		570	00	04	75
	516	00	01	61		569	00	04	11
	502	00	00	66		540	00	00	10
	501	00	00	48		572	00	11	18
	517	00	02	23		773	00	01	72
गोपला - 43	2198	00	01	32		1033	00	04	56
	2201	00	20	31		1032	00	00	54
	2200	00	06	10		1031	00	04	86
	2190	00	08	15		1030	00	02	07
	2191	00	01	28		1034	00	00	47
	2192	00	00	10		1026	00	00	44
	2186	00	00	10		1029	00	00	21
	2185	00	04	77		1027	00	05	30
	2187	00	00	10		1021	00	03	68
	2184	00	01	62		1020	00	00	50
	2183	00	05	32		1019	00	01	65
	2182	00	03	10		935	00	10	47
	2176	00	03	96		939	00	00	23
	2160	00	00	10		938	00	04	87
	512	00	02	76		942	00	00	15
	513	00	01	65		943	00	04	87
	514	00	01	76		910	00	05	95
	515	00	00	10		951	00	03	66
	516	00	03	55		952	00	03	42
	518	00	00	10		949	00	04	72
	532	00	07	00		954	00	02	93
	533	00	07	12		963	00	00	28
	530	00	02	25		955	00	00	20
	535	00	02	04		962	00	01	94
	529	00	00	10		961	00	00	39
	534	00	02	32		964	00	01	49
	537	00	09	36		965	00	02	74
	543	00	01	70		898	00	02	76
	542	00	04	17		966	00	01	09
	541	00	01	27		968	00	03	97
	546	00	04	02		969	00	05	18
	550	00	01	33		897	00	07	13
	548	00	00	10		895	00	06	69
	549	00	04	84		894	00	00	59
	576	00	00	61		896	00	00	10
	552	00	03	69		1114	00	02	78
	575	00	03	81		1212	00	13	55

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
गोपला - 43	1214	00	10	00	कमड़ा - 69	3193	00	04	45
	1216	00	09	46		3192	00	01	69
	1215	00	02	83		3194	00	15	20
	1225	00	00	10		3196	00	12	95
	1224	00	05	57		3227	00	07	52
	1232	00	01	17		3223	00	12	28
	1231	00	01	62		3197	00	05	38
	1234	00	05	27		3224	00	04	07
	1233	00	16	77		3201	00	06	45
	1364	00	06	48		3202	00	06	34
	1365	00	00	87		3203	00	00	29
	1360	00	06	45		3209	00	13	61
	1362	00	06	35		3208	00	03	05
	1363	00	01	39		3210	00	01	23
	1361	00	09	73		3213	00	01	85
	1355	00	01	03		2837	00	00	51
	1356	00	02	71		2838	00	09	87
	1351	00	05	39		2839	00	09	84
	1357	00	03	27		2840	00	00	32
	1350	00	00	51		2841	00	03	43
	1345	00	01	84		2842	00	03	12
	1348	00	08	19		2843	00	03	04
	1347	00	08	40		2844	00	08	45
	1349	00	01	76		2819	00	01	53
	1358	00	00	10		2809	00	06	81
कमड़ा - 69	3145	00	07	11		2810	00	02	58
	3175	00	02	62		2812	00	11	42
	3173	00	18	23		2807	00	07	55
	3172	00	02	57		2806	00	05	29
	3171	00	06	45		3492	00	04	18
	3170	00	00	75		3491	00	04	15
	3168	00	06	17		2804	00	00	61
	3167	00	00	10		2671	00	02	66
	3166	00	07	26		2670	00	04	07
	3158	00	09	04		2669	00	02	00
	3159	00	07	46		2668	00	02	49
	3160	00	00	62		2672	00	05	11
	3186	00	02	45		2667	00	02	45
	3189	00	13	06		2673	00	07	13
	3190	00	00	24		2674	00	00	58
	3191	00	09	02		2666	00	06	84
	3243	00	01	77		2665	00	02	83
	3239	00	12	40		2675	00	01	35

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
कमड़ा - 69	2676	00	04	44	तपकरा - 78	3180	00	01	78
	2663	00	39	09		3171	00	05	03
	2652	00	08	95		3170	00	02	19
	2651	00	06	24		3204	00	09	88
	2650	00	14	11		3203	00	00	10
	2649	00	00	20		3205	00	03	46
	2635	00	24	97		3162	00	02	48
	2634	00	06	18		1813	00	04	74
	2631	00	13	96		3153	00	00	77
	2630	00	09	60		3206	00	00	27
	2629	00	30	65		3152	00	10	46
	2628	00	06	10		3154	00	02	26
तपकरा - 78	2768	00	07	13		3169	00	00	10
	2770	00	03	20		3150	00	05	98
	2773	00	09	62		3146	00	04	04
	2775	00	12	72		3149	00	03	27
	2774	00	01	20		3147	00	02	59
	2973	00	00	25		3148	00	06	41
	2972	00	05	61		3214	00	17	58
	2971	00	04	92		3215	00	00	13
	2970	00	01	80		1804	00	05	93
	2943	00	13	95		1803	00	04	14
	2944	00	09	37		1802	00	01	70
	2945	00	00	10		1801	00	00	85
	2942	00	07	53		3216	00	05	71
	2863	00	01	98		1794	00	23	71
	2864	00	00	10		1798	00	00	13
	2867	00	05	00		1789	00	04	83
	2865	00	01	23		1795	00	02	73
	2866	00	01	79		1796	00	02	35
	2872	00	11	65		1782	00	14	75
	2868	00	00	17		1781	00	00	39
	2874	00	04	77		1765	00	01	25
	2873	00	09	28		1764	00	04	35
	2915	00	03	16		1763	00	00	24
	2916	00	18	33		1759	00	05	06
	2918	00	02	99		1760	00	00	73
	2917	00	08	67		1758	00	03	73
	2910	00	02	74		1754	00	01	03
	2909	00	01	85		1695	00	07	89
	3039	00	07	62		1694	00	04	92
	3173	00	00	38		1693	00	06	70
	3172	00	11	49		1692	00	01	57

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
तपकरा - 78	1690	00	07	99	तपकरा - 78	1505	00	08	60
	1691	00	01	54		1397	00	00	98
	1701	00	01	10		1398	00	00	12
	1622	00	01	05		1399	00	06	11
	1620	00	00	10		1400	00	03	42
	1621	00	21	63		1504	00	07	39
	1618	00	03	15		1503	00	47	24
	1612	00	00	28		1442	00	00	14
	1613	00	07	48		1441	00	01	18
	1614	00	04	63		1439	00	11	54
	1615	00	02	83		1440	00	04	65
	1609	00	06	42	गुडहातू-77	1747	00	22	33
	1608	00	01	74		451	00	05	88
	1601	00	03	37		483	00	00	34
	1602	00	01	15		490	00	00	10
	1182	00	16	38		482	00	09	54
	1184	00	08	83		479	00	04	75
	1183	00	00	52		493	00	14	60
	1185	00	29	92		492	00	00	10
	1587	00	01	41		476	00	00	12
	1195	00	00	16		494	00	05	28
	1197	00	00	84		442	00	05	26
	1586	00	00	10		496	00	00	10
	1201	00	05	65		495	00	01	93
	1583	00	02	25		499	00	02	29
	1208	00	12	51		441	00	00	10
	1207	69	03	92		527	00	02	08
	1209	00	00	80		279	00	01	87
	1210	00	02	01		526	00	03	33
	1211	00	04	27		525	00	00	78
	1569	00	11	55		524	00	04	59
	1568	00	23	57		516	00	04	65
	1566	00	01	72		511	00	01	24
	1567	00	01	33		515	00	07	83
	1513	00	21	47		514	00	04	89
	1522	00	00	10		517	00	04	35
	1326	00	15	87		367	00	02	02
	1512	00	07	90		366	00	06	13
	1511	00	21	82		365	00	04	17
	1509	00	13	16		377	00	09	34
	1508	00	01	11		378	00	05	92
	1395	00	04	73		379	00	01	92
	1396	00	01	93		354	00	01	69

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
गुदूहातू-77	380	00	02	87	कोचा - 82	3351	00	05	49
	349	00	05	55		3350	00	01	89
	348	00	02	41		3328	00	06	76
	347	00	06	35		3333	00	00	36
	32	00	00	45		3329	00	10	65
	352	00	09	75		3330	00	01	17
	47	00	02	54		3323	00	09	17
	34	00	11	85		3320	00	03	10
	44	00	00	97		3291	00	05	13
	36	00	44	96		3292	00	12	89
	87	00	01	96		3286	00	00	24
	88	00	19	18		3285	00	10	61
	89	00	08	27		3493	00	03	92
	92	00	01	36		3498	00	00	10
	90	00	09	06		3497	00	04	05
	91	00	02	14		3496	00	14	93
	2185	00	02	43		3495	00	02	66
कोचा - 82	3402	00	16	06	[फा. सं. आर-25011/46/2010-ओ.आर.-1]				
	2945	00	21	70	बी. के. दत्ता, अवर सचिव				
	2942	00	18	60	New Delhi, the 18th December, 2010				
	2943	00	02	53	S.O. 3136. —Whereas, it appears to the Central				
	2944	00	00	38	Government that it is necessary in the public interest that				
	2946	00	01	92	for the transportation of petroleum products from Paradip				
	2967	00	12	59	(Orissa) to Raipur (Chhattisgarh) & Ranchi (Jharkhand), a				
	2966	00	01	60	"Paradip-Sambalpur-Raipur -Ranchi Pipeline" should be				
	2968	00	08	02	laid by Indian Oil Corporation Limited;				
	2971	00	00	60	And whereas, it appears to the Central Government that				
	2970	00	05	60	for the purpose of laying the said pipeline, it is necessary				
	2972	00	00	77	to acquire the right of user in the land described in the				
	2973	00	00	53	schedule annexed to this notification;				
	3395	00	06	79	Now, therefore, in exercise of the powers conferred by				
	3394	00	07	80	sub section (1) of Section 3 of the Petroleum and Minerals				
	3393	00	00	23	Pipelines (Acquisition of Right of User in-Land) Act,				
	3387	00	00	41	1962 (50 of 1962), the Central Government hereby declares				
	3390	00	17	92	its intention to acquire the right of user therein;				
	3391	00	00	10	Any person interested in the land described in the said				
	3389	00	08	91	schedule may, within twenty-one days from the date on				
	3380	00	00	92	which the copies of this notification, as published in the				
	3354	00	00	44	Gazette of India, are made available to the General Public,				
	3359	00	06	45	object in writing to the acquisition of the right of user				
					therein for laying of the pipeline under the land to				
					Shri Prem Chandra Verma, Competent Authority, Indian				
					Oil Corporation Limited, Paradip-Sambalpur-Raipur-Ranchi				
					Pipe Line Project, Ground floor, B - Block, Shahdeo Tower,				
					P. P. Compound, Ranchi - 834 001 (Jharkhand).				

SCHEDULE				
Anchal: Torpa	District: Khunti	State: Jharkhand		
Name of the	Khasra No.	Area		
Village		Hectare	Are	Sq. mtr.
(1)	(2)	(3)	(4)	(5)
Sonpurgarh-29	386	00	13	90
	387	00	01	79
	385	00	07	53
	378	00	10	36
	377	00	03	07
	358	00	00	91
	241	00	07	04
	240	00	10	43
	244	00	09	27
	243	00	07	24
	251	00	18	95
	256	00	09	39
	258	00	04	24
	257	00	09	62
	259	00	05	80
	348	00	02	25
	350	00	00	34
	347	00	18	25
	346	00	09	48
	345	00	00	10
	344	00	00	10
	337	00	00	43
	338	00	15	12
	343	00	05	58
	333	00	03	40
	332	00	01	53
	322	00	02	03
	325	00	14	69
	326	00	10	91
	328	00	02	13
	317	00	12	41
	761	00	01	05
	775	00	06	73
	773	00	06	15
	772	00	05	34
	771	00	12	86
	766	00	06	75
	764	00	15	57
	763	00	27	62

(1)	(2)	(3)	(4)	(5)
Sonpurgarh-29	1607	00	11	85
	1606	00	08	37
	1605	00	13	19
	1604	00	08	59
	1602	00	03	08
	1592	00	03	23
	1593	00	11	95
	1594	00	02	-67
	1580	00	10	15
	1577	00	15	36
	1543	00	00	90
	1532	00	04	94
	1516	00	08	55
	1517	00	03	41
	1515	00	05	08
	1514	00	06	70
	1513	00	00	10
	1503	00	04	83
	1426	00	02	10
	1427	00	09	20
	1428	00	02	14
	1429	00	00	36
	1433	00	13	04
	1392	00	07	46
	1391	00	00	10
	1434	00	09	65
	1437	00	01	72
	1390	00	00	10
	1435	00	12	67
	1356	00	00	40
	1357	00	05	39
	1358	00	07	73
	1355	00	02	08
	1326	00	01	35
	1325	00	11	49
	1322	00	18	31
	1321	00	04	46
	1320	00	00	77
Nawatoli-33	106	00	08	71
	109	00	02	39.
	110	00	00	11
	108	00	05	82
	111	00	01	00
	112	00	00	84

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Nawatoli-33	133	00	03	60	Husir -32	138	00	02	48
	274	00	08	52		21	00	00	10
	278	00	04	54		20	00	05	19
	270	00	05	50		24	00	00	10
	271	00	00	10		112	00	04	37
	273	00	00	10		114	00	00	78
	268	00	02	86		117	00	00	10
	267	00	00	22		115	00	00	21
	269	00	00	62		113	00	03	41
	266	00	00	20		106	00	09	87
	265	00	10	02		41	00	05	85
	250	00	01	43		42	00	06	94
	231	00	03	05		43	00	06	27
	232	00	09	68		44	00	08	81
	230	00	09	79		45	00	07	24
	229	00	07	43		46	00	03	38
	234	00	03	66		78	00	04	45
	221	00	00	74		57	00	05	05
	220	00	12	01		58	00	00	-17
	205	00	02	03		56	00	02	70
	213	00	02	04		55	00	00	10
	211	00	03	45		54	00	17	64
	212	00	04	08		1718	00	18	19
	182	00	02	64		1726	00	04	94
	184	00	06	83		1727	00	08	43
	183	00	00	92		1728	00	06	49
	186	00	03	14		1683	00	11	80
	187	00	02	0.3		1739	00	03	05
	188	00	00	76		1682	00	04	55
	177	00	08	34		1681	00	04	06
	178	00	04	00		1677	00	02	48
	176	00	07	81		1678	00	05	31
	165	00	16	15		1675	00	01	63
	164	00	02	52		1674	00	01	06
	163	00	18	82		1673	00	00	90
Husir -32	148	00	09	71		1672	00	06	25
	13	00	23	26		1671	00	01	24
	145	00	03	12		1670	00	00	10
	144	00	00	11		1657	00	11	31
	143	00	00	57		1659	00	01	00
	14	00	05	83		1661	00	03	93
	16	00	02	82		1660	00	02	21
	139	00	00	36		1627	00	00	10
	19	00	11	44		1654	00	07	48

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Husir - 32	1638	00	01	25	Paira - 41	1617	00	01	72
	1637	00	02	10		1610	00	01	79
	1635	00	01	85		1618	00	07	60
	1636	00	04	99		1609	00	11	90
	1795	00	07	02		1608	00	10	58
	1798	00	01	12		1607	00	07	00
	1799	00	02	16		1606	00	05	40
	1797	00	11	33	Komang - 42	470	00	14	26
	1857	00	05	30		477	00	00	14
	1856	00	06	10		475	00	03	19
	1858	00	25	12		476	00	10	47
	1855	00	00	21		510	00	11	80
	1867	00	01	04		512	00	00	75
	1870	00	17	89		511	00	01	28
	1883	00	00	61		509	00	02	12
	1884	00	10	20		508	00	02	20
	1869	00	01	48	Gopla - 43	516	00	01	61
	1885	00	09	87		502	00	00	66
	1886	00	01	28		501	00	00	48
	1889	00	04	30		517	00	02	23
	1897	00	01	64		2198	00	01	32
	1896	00	00	34		2201	00	20	31
	1898	00	03	87		2200	00	06	10
	1899	00	06	73		2190	00	08	15
	1900	00	05	11		2191	00	01	28
	Paira - 41	1704	00	23		2192	00	00	10
		1686	00	16		2186	00	00	10
		1685	00	01		2185	00	04	77
		1682	00	02		2187	00	00	10
		1683	00	01		2184	00	01	62
		1684	00	00		2183	00	05	32
		1673	00	20		2182	00	03	10
		1672	00	01		2176	00	03	96
		1671	00	01		2160	00	00	10
		1669	00	01		512	00	02	76
		1670	00	13		513	00	01	65
		1668	00	00		514	00	01	76
		1667	00	00		515	00	00	10
		1666	00	11		516	00	03	55
		1657	00	06		518	00	00	10
		1658	00	11		532	00	07	00
		1615	00	01		533	00	07	12
		1616	00	29		530	00	02	25
						535	00	02	04

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Gopla - 43	529	00	00	10	Gopla - 43	964	00	01	49
	534	00	02	32		965	00	02	74
	537	00	09	36		898	00	02	76
	543	00	01	70		966	00	01	09
	542	00	04	17		968	00	03	97
	541	00	01	27		969	00	05	18
	546	00	04	02		897	00	07	13
	550	00	01	33		895	00	06	69
	548	00	00	10		894	00	00	59
	549	00	04	84		896	00	00	10
	576	00	00	61		1114	00	02	78
	552	00	03	69		1212	00	13	55
	575	00	03	81		1214	00	10	00
	571	00	04	45		1216	00	09	46
	570	00	04	75		1215	00	02	83
	569	00	04	11		1225	00	00	10
	540	00	00	10		1224	00	05	57
	572	00	11	18		1232	00	01	17
	773	00	01	72		1231	00	01	62
	1033	00	04	56		1234	00	05	27
	1032	00	00	54		1233	00	16	77
	1031	00	04	86		1364	00	06	48
	1030	00	02	07		1365	00	00	87
	1034	00	00	47		1360	00	06	45
	1026	00	00	44		1362	00	06	35
	1029	00	00	21		1363	00	01	39
	1027	00	05	30		1361	00	09	73
	1021	00	03	68		1355	00	01	03
	1020	00	00	50		1356	00	02	71
	1019	00	01	63		1351	00	05	39
	935	00	10	47		1357	00	03	27
	939	00	00	23		1350	00	00	51
	938	00	04	87		1345	00	01	84
	942	00	00	15		1348	00	08	19
	943	00	04	87		1347	00	08	40
	910	00	05	95		1349	00	01	76
	951	00	03	66		1358	00	00	10
	952	00	03	42	Kamra - 69	3145	00	07	11
	949	00	04	72		3175	00	02	62
	954	00	02	93		3173	00	18	23
	963	00	00	28		3172	00	02	57
	955	00	00	20		3171	00	06	45
	962	00	01	94		3170	00	00	75
	961	00	00	39		3168	00	06	17

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Kamra - 69	3167	00	00	10	Kamra - 69	2671	00	02	66
	3166	00	07	26		2670	00	04	07
	3158	00	09	04		2669	00	02	00
	3159	00	07	46		2668	00	02	49
	3160	00	00	62		2672	00	05	11
	3186	00	02	45		2667	00	02	45
	3189	00	13	06		2673	00	07	13
	3190	00	00	24		2674	00	00	58
	3191	00	09	02		2666	00	06	84
	3243	00	01	77		2665	00	02	83
	3239	00	12	40		2675	00	01	35
	3193	00	04	45		2676	00	04	44
	3192	00	01	69		2663	00	39	09
	3194	00	15	20		2652	00	08	95
	3196	00	12	95		2651	00	06	24
	3227	00	07	52		2650	00	14	11
	3223	00	12	28		2649	00	00	20
	3197	00	05	38		2635	00	24	97
	3224	00	04	07		2634	00	06	18
	3201	00	06	45		2631	00	13	96
	3202	00	06	34		2630	00	09	60
	3203	00	00	29		2629	00	30	65
	3209	00	13	61		2628	00	06	10
	3208	00	03	05	Tapkara - 78	2768	00	07	13
	3210	00	01	23		2770	00	03	20
	3213	00	01	85		2773	00	09	62
	2837	00	00	51		2775	00	12	72
	2838	00	09	87		2774	00	01	20
	2839	00	09	84		2973	00	00	25
	2840	00	00	32		2972	00	05	61
	2841	00	03	43		2971	00	04	92
	2842	00	03	12		2970	00	01	80
	2843	00	03	04		2943	00	13	95
	2844	00	08	45		2944	00	09	37
	2819	00	01	53		2945	00	00	10
	2809	00	06	81		2942	00	07	53
	2810	00	02	58		2863	00	01	98
	2812	00	11	42		2864	00	00	10
	2807	00	07	55		2867	00	05	00
	2806	00	05	29		2865	00	01	23
	3492	00	04	18		2866	00	01	79
	3491	00	04	15		2872	00	11	65
	2804	00	00	61		2868	00	00	17

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Tapkara - 78	2874	00	04	77	Tapkara - 78	1765	00	01	25
	2873	00	09	28		1764	00	04	35
	2915	00	03	16		1763	00	00	24
	2916	00	18	33		1759	00	05	06
	2918	00	02	99		1760	00	00	73
	2917	00	08	67		1758	00	03	73
	2910	00	02	74		1754	00	01	03
	2909	00	01	85		1695	00	07	89
	3039	00	07	62		1694	00	04	92
	3173	00	00	38		1693	00	06	70
	3172	00	11	49		1692	00	01	57
	3180	00	01	78		1690	00	07	99
	3171	00	05	03		1691	00	01	54
	3170	00	02	19		1701	00	01	10
	3204	00	09	88		1622	00	01	05
	3203	00	00	10		1620	00	00	10
	3205	00	03	46		1621	00	21	63
	3162	00	02	48		1618	00	03	15
	1813	00	04	74		1612	00	00	28
	3153	00	00	77		1613	00	07	48
	3206	00	00	27		1614	00	04	63
	3152	00	10	46		1615	00	02	83
	3154	00	02	26		1609	00	06	42
	3169	00	00	10		1608	00	01	74
	3150	00	05	98		1601	00	03	37
	3146	00	04	04		1602	00	01	15
	3149	00	03	27		1182	00	16	38
	3147	00	02	59		1184	00	08	83
	3148	00	06	41		1183	00	00	52
	3214	00	17	58		1185	00	29	92
	3215	00	00	13		1587	00	01	41
	1804	00	05	93		1195	00	00	16
	1803	00	04	14		1197	00	00	84
	1802	00	01	70		1586	00	00	10
	1801	00	00	85		1201	00	05	65
	3216	00	05	71		1583	00	02	25
	1794	00	23	71		1208	00	12	51
	1798	00	00	13		1207	69	03	92
	1789	00	04	83		1209	00	00	80
	1795	00	02	73		1210	00	02	01
	1796	00	02	35		1211	00	04	27
	1782	00	14	75		1569	00	11	55
	1781	00	00	39		1568	00	23	57

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Tapkara - 78	1566	00	01	72	Gutuhatu-77	511	00	01	24
	1567	00	01	33		515	00	07	83
	1513	00	21	47		514	00	04	89
	1522	00	00	10		517	00	04	35
	1326	00	15	87		367	00	02	02
	1512	00	07	90		366	00	06	13
	1511	00	21	82		365	00	04	17
	1509	00	13	16		377	00	09	34
	1508	00	01	11		378	00	05	92
	1395	00	04	73		379	00	01	92
	1396	00	01	93		354	00	01	69
	1505	00	08	60		380	00	02	87
	1397	00	00	98		349	00	05	55
	1393	00	00	12		348	00	02	41
	1399	00	06	11		347	00	06	35
	1400	00	03	42		32	00	00	45
	1504	00	07	39		352	00	09	75
	1503	00	47	24		47	00	02	54
	1442	00	00	14		34	00	11	85
	1441	00	01	18		44	00	00	97
	1439	00	11	54		36	00	44	96
	1440	00	04	65		87	00	01	96
Gutuhatu-77	1747	00	22	33		88	00	19	18
	451	00	05	88		89	00	08	27
	483	00	00	34		92	00	01	36
	490	00	00	10		90	00	09	06
	482	00	09	54		91	00	02	14
	479	00	04	75		2185	00	02	43
	493	00	14	60	Kocha - 82	3402	00	16	06
	492	00	00	10		2945	00	21	70
	476	00	00	12		2942	00	18	60
	494	00	05	28		2943	00	02	53
	442	00	05	26		2944	00	00	38
	496	00	00	10		2946	00	01	92
	495	00	01	93		2967	00	12	59
	499	00	02	29		2966	00	01	60
	441	00	00	10		2968	00	08	02
	527	00	02	08		2971	00	00	60
	279	00	01	87		2970	00	05	60
	526	00	03	33		2972	00	00	77
	525	00	00	78		2973	00	00	53
	524	00	04	59		3395	00	06	79
	516	00	04	65		3394	00	07	80

(1)	(2)	(3)	(4)	(5)
Kocha - 82	3393	00	00	23
	3387	00	00	41
	3390	00	17	92
	3391	00	00	10
	3389	00	08	91
	3380	00	00	92
	3354	00	00	44
	3359	00	06	45
	3351	00	05	49
	3350	00	01	89
	3328	00	06	76
	3333	00	00	36
	3329	00	10	65
	3330	00	01	17
	3323	00	09	17
	3320	00	03	10
	3291	00	05	13
	3292	00	12	89
	3286	00	00	24
	3285	00	10	61
	3493	00	03	92
	3498	00	00	10
	3497	00	04	05
	3496	00	14	93
	3495	00	02	66

[No. R-25011/46/2010-O.R.-I]

B.K. DATTA, Under Secy.

नई दिल्ली, 23 दिसम्बर, 2010

का.आ. 3137.—भारत सरकार ने पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का.आ. 864 तारीख 30-3-2010 द्वारा श्रीमती अनिमा सैकिया अतिरिक्त उप कमिश्नर, जिला सिवसागर, आसाम को आसाम राज्य में मैसर्स ब्रह्मपुत्र क्रैकर एण्ड पोलिमेर लिमिटेड द्वारा पाइप लाइन बिछाने के लिए उक्त अधिनियम के अधीन सक्षम प्राधिकारी के कृत्यों का पालन करने के लिए नियुक्त किया था।

और उक्त श्रीमती अनिमा सैकिया का स्थानांतरण हो गया है और श्री हीरा प्रसाद नाथ, अतिरिक्त उप कमिश्नर को उनके पद पर नियुक्त किया गया है।

अतः, अब, भारत सरकार उक्त अधिनियम की धारा 2 के खंड (क) के अनुसरण में और भारत सरकार के पेट्रोलियम और

प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का.आ. 864 तारीख 30-3-2010 को अधिकांश करते हुए, नीचे दी गई अनुसूची के स्तम्भ (1) में वर्णित व्यक्ति को उक्त मैसर्स ब्रह्मपुत्र क्रैकर एण्ड पोलिमेर लिमिटेड द्वारा पाइप लाइन बिछाने के लिए निम्नलिखित अनुसूची के स्तम्भ (2) में वर्णित क्षेत्र में उक्त अधिनियम के अधीन सक्षम प्राधिकारी के कृत्यों का पालन करने के लिए नियुक्त करती है।

अधिसूची

व्यक्ति का नाम और पता	अधिकारिता का क्षेत्र
श्री हीरा प्रसाद नाथ, अतिरिक्त उप कमिश्नर जिला सिवसागर (आसाम)	आसाम राज्य जिला सिवसागर सी2+ द्रवित हाई वेपर प्रेशर पाइपलाइन लकवा से लेपेटकाटा (सिवसागर खण्ड) पाइप लाइन बिछाने हेतु।

[फा. सं. एल-14014/18/2010-जी पी]

स्नेह पी. मदान, अवर सचिव

New Delhi, the 23rd December, 2010

S.O. 3137.—Whereas, in pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Government of India vide Notification of Government of India in the Ministry of Petroleum and Natural Gas S.O. 864 dated 30-03-2010 appointed Smt. Anima Saikia, ACS (Additional Deputy Commissioner) Sivasagar to perform the functions of the Competent Authority under the said Act for laying of the pipeline by M/s. Brahmaputra Cracker and Polymer Limited (BCPL) in District Sivasagar of Assam State.

And, whereas, Smt. Anima Saikia has been transferred and Shri Hira Prasad Nath, ACS (Additional Deputy Commissioner) Sivasagar has been posted as her incumbent;

Now, therefore, in pursuance of clause (a) of Section (2) of the said Act and in supersession of the notification of the Government of India, Ministry of Petroleum & Natural Gas vide S.O. 864 dated 30.03.2010, the Government of India hereby authorizes the person mentioned in column (1) of the Schedule given below to perform the functions of the Competent Authority under the said Act for laying pipelines by the said M/s. Brahmaputra Cracker and Polymer Limited (BCPL) in the area mentioned in column (2) of the said Schedule.

SCHEDULE

Name and Address of the person	Area of Jurisdiction
Shri Hira Prasad Nath, ACS (Additional Deputy Commissioner) Sivasagar (Assam)	State of Assam areas falling in Sivasagar District for laying of C2+ liquid High Vapor Pressure pipeline from Lakwa to Lapetkata.

[F. No. L-14014/18/10-GP]

SNEH P. MADAN, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 26 नवम्बर, 2010

का.आ. 3138.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टी. आई. एस. कम्पनी लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 401/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-10 को प्राप्त हुआ था।

[सं. एल-26012/1/2001-आईआर(एम)]

जोहन तोपनो, अवर सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 26th November, 2010

S.O. 3138.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 401/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar now as shown in the Annexure, in the industrial dispute between the employers in relation to the Management of T.I.S. Co Ltd; and their workman, which was received by the Central Government on 16-11-2010.

[No. L-26012/1/2001-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR**

PRESENT: SHRI J. SRIVASTAVA, Presiding Officer,
C.G.I.T.-cum-Labour Court, Bhubaneswar.

Industrial Dispute Case No. 401/2001

Date of Passing Award 29th October, 2010

Between :

The Management of the General Manager (OMQ),
T.I.S.C.O. Ltd., PO. Noamundi, Singhbhum

...1st Party Management

AND

Their workman Shri Saubhagya Kumar Mukhi,
Qrs. No. F/2RC/32, Joda, Dist. Keonjhar, Orissa

...2nd Party/Workman

APPEARANCES:

M/s. Ashok K. Parija, : For the 1st Party
& Associates, Advocates Management

M/s. N.B. Chainy, : For the 2nd Party
& Associates, Advocates Workman

AWARD

The Government of India in the Ministry of Labour has referred an industrial dispute existing between the employers in relation to the Management of T.I.S. Co. Ltd. and their workman in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 vide their letter No. L-26012/1/2001-IR (M), dated 13-06-2001.

2. The dispute as referred to is mentioned under the schedule of the letter of reference which is quoted underneath :—

“Whether the demand of Shri Saubhagya Kumar Mukhi, Sr. Driver-cum-Havildar Joda West Mines of TISCO Ltd., for reinstatement with full back wages, in view of the order of Hon’ble Magistrate, Keonjhar is justified? If not, what relief the workman is entitled for?”

3. The 2nd Party-workman in his statement of claim has stated that he had joined the service initially as a Sepoy in the Security Department of the 1st Party-Management and then he was promoted to the rank of Driver-cum-Havildar and worked in security department at Joda. Although he had rendered 17 years of dedicated service yet he was asked to opt for V.R.S. (Golden Handshake Scheme) introduced and prosecuted by the Management-company with a view to reduce the number of employees from the company’s pay roll. The 2nd Party-workman had refused to accept the offer and thus he was falsely implicated in a criminal case and was dismissed from service through a camouflaged departmental proceeding. The charges in the departmental proceedings were based on allegations that while he was working in ‘c’ shift duty on 30-8-1998 at about 10.40 P.M. he accompanied Mr. Rais Ahmed P. No. 97321, Driver-cum-Havildar (P) who took out the company’s jeep No. BEP-269 and went to the garage of Indra Mistry on the plea of getting repaired the clutch of the said Jeep. At about 11.00 P.M. on the same date he along with Rais Ahmed were apprehended by police patrol while disposing of a part (1.5 meters) of the 20 meters of stolen copper cable worth Rs. 20,000 from the Ferro Alloys Plant Store, Joda. Earlier to it, a written report was lodged by the Company at Joda Police Station on 29-8-1998 about theft of 20 meters copper cable from Ferro Alloys Plant store yard on 26-8-1998 worth Rs. 20,000. On the basis of the said report case No. 172 dated 29-8-1998 was registered under Section 379 IPC. On 30-8-1998 the disputant-workman along with Shri Rais Ahmed were arrested by Joda police in connection with the aforesaid case on the allegation that 1.57 meters of stolen copper cable was being carried by them in company’s jeep No. BEP-296. “He was prosecuted of criminal charge under Section 379 IPC in the criminal court at Barbil and simultaneously was subjected to a departmental proceeding. Upon filing charge-sheet by the Joda Police the charges under section 379/34 IPC were

framed against him and Shri Rais Ahmad in G.R. Case No. 292/1998. They were tried jointly and on completion of trial the criminal court acquitted them of the charges holding that the prosecution has not been able to prove the charges framed against them vide its judgement dated 17-7-1999. In the departmental proceeding almost similar charges were framed. The basis of the charge was the alleged act of committing theft of company's property. In the departmental proceeding charges of misconduct, dishonesty and unauthorized use of company's property were super imposed though the basic charge was that of alleged theft. The departmental proceeding culminated with the acceptance of the findings of the enquiry report which held the charges as proved. The Management imposed punishment of dismissal from service. The departmental enquiry purportedly conducted against the disputant workman being a wholly got up one cannot supersede the decision of the court of law in view of the findings of acquittal recorded by the criminal court and thereby absolving him of the said charge of theft. The finding of the enquiry officer in the departmental proceeding loses all significance and the decision of the Management dismissing him from service is liable to be set aside. Even the charges in the departmental proceedings are not proved. Hence his dismissal from service is malafide, unjustified and illegal. The order of dismissal in the departmental proceeding on the same charge cannot be sustained in law and he is entitled to be reinstated in service with full back wages with interest.

4. The 1st Party-Management filed the written statement controverting the allegations contained in the statement of claim. Their further contention is that the reference is not maintainable in view of the undisputed facts of the case and dismissal of the disputant- workman after domestic enquiry conducted in accordance with the provisions of certified standing order. Acquittal of the disputant-workman in the criminal case has no bearing on the charges framed in the departmental proceeding. It is revealed from the facts of the case that on 26-8-1998 the Dy. Manager, Security Mr. Mahendra Prasad received a letter from the Divisional Manager to the effect that 20 meters of copper cable worth of Rs. 20,000 was stolen from the Ferro Alloys Plant Store Yard who in turn informed Joda Police Station. A case No. 172/98 was registered under Section 379 IPC at Joda Police Station on 29-8-98. The disputant-workman was on duty in 'C' Shift of 30-8-1998 i.e. from 10 P.M. to 6 A.M. Mr. Mahendra Prasad, Dy. Manager, Security instructed Md. Rais Ahmed at about 10.30 P.M. to bring Shri B. Tiu from his house. Shri Rais Ahmed at about 10.40 P.M. drove the Jeep No. BEP-269 being accompanied by the disputant-workman to fetch Shri B. Tiu from his house. Thereafter Shri Rais Ahmed and the disputant-workman went to the garage of Indra Mistry directly on the plea of repairing the clutch of the said jeep without going to the residence of Shri B. Tiu. They were apprehended by the police while

disposing of a part (1.57 meters) of the 20 meters of stolen copper cable worth Rs. 20,000. The police also seized the company's jeep No. BEP-269 along with recovered copper cable. The case was filed in the court of Judicial Magistrate (1 st Class), Barbil which was registered as G.R. Case No. 292/98. Departmental enquiry was also proceeded against the disputant- workman and Shri Rais Ahmed and a charge-sheet was issued on 4-9-1998 in which charges of theft, dishonesty and unauthorized use of company's property were levelled against both. The reply submitted was not satisfactory. Hence a preliminary enquiry was conducted about the incident which was found to be true. Subsequently on 18-9-1998 the Management decided to conduct the domestic enquiry in respect of the charges framed against the disputant-workman and Shri Rais Ahmed. Shri S.S. Hota, Manager (Personnel) was appointed as enquiry officer who conducted the enquiry by taking evidence of both the parties and giving opportunity of hearing. On the basis of enquiry report the General Manager of the 1st Party-Management dispensed with the services of the disputant-workman on 23-12-1998. After dismissal from service learned Judicial Magistrate (1 st Class), Barbil pronounced the judgement on 17-7-1999 acquitting the accused persons namely the disputant-workman and Shri Rais Ahmed. After pronouncement of the judgement by the learned Judicial Magistrate (1st Class), Barbil the disputant-workman raised an industrial dispute before the conciliation officer i.e. Asstt. Labour Commissioner (Central), Rourkela. The conciliation ended in failure. Hence on the report of the Assistant Labour Commissioner (Central), Rourkela this reference was made. It has been further submitted that the jeep bearing No. BEP-269 was not defective on 30-8-1998 at 10.40 P.M. The alleged defect in the clutch plate of the jeep was incorrect and baseless. The place where the jeep allegedly broke down was hardly 200 feet away from the security control room, but the disputant-workman did not inform the said fact and went to the garage of Indra Mistry which is situated near the establishment of Shri Sangram Swain @ Kalu. It is settled law that the result of the criminal case has no bearing on the domestic enquiry. More-so, the charges framed against the disputant-workman in both the proceedings are different and the departmental enquiry cannot be held bad in law in view of the order of the acquittal recorded by the criminal court. Hence the present case is liable to be dismissed.

5. The disputant-workman filed objection to the written statement of the 1st Party-Management alleging that the charges in the departmental proceedings were not proved against him though he was punished, while acquitted of the same charge in the criminal proceeding. The departmental proceeding was sequel of criminal proceeding. The allegations in both the proceedings were more or less the same. Therefore the order of dismissal on the same charges is not sustainable in the eyes of law.

6. During the pendency of the reference the 2nd Party-workman died. Hence his legal heirs namely Smt. Urmila Mukhi (wife), Jayanti Mukhi (daughter), Shyam

Sundar Mukhi (father) and Keshari Mukhi (mother) were substituted in his place.

7. Following issues were framed on the basis of the pleadings of the parties.

ISSUES

1. Whether the demand of Shri Saubhagya Kumar Mukhi, Sr. Driver-cum-Havaldar, Joda West Mines of TISCO Ltd., for reinstatement with full back wages, in view of the order of Hon'ble Magistrate, Keonjhar is justified?
2. To what relief the 2nd Party-workman is entitled?
3. Whether the charges in the departmental proceeding and in the criminal proceedings are same and identical basing on same sets of fact?
8. Both the parties have not led any oral evidence in the case and only relied on the documents filed by both of them.

FINDINGS

Issue No. 3

9. Since this issue pre-requires consideration and decision before coming to the question of justification of the demand of the disputant-workman regarding reinstatement in service, this issue is taken up first. The whole episode revolves round the alleged fact of theft of 20 meters of copper cable worth Rs. 20,000 reported to Joda Police Station by Dy. Manager, Security Mr. Mahendra Prasad on 29-8-1998. Subsequent to the filing of the report, the disputant-workman along with co-worker Md. Rais Ahmad were arrested by the Joda Police while disposing of a part (1.57 meters) out of 20 meters of copper cable stolen from Ferro Alloy Plant Store yard. The disputant-workman was tried along with Md. Rais Ahmad for the alleged offence of theft under Section 379/34 IPC and they are acquitted of the charge on 17-7-1999. A departmental proceeding was also taken up and in the domestic enquiry based on charges of theft, dishonesty and unauthorized use of company's property the disputant-workman and Md. Rais Ahmad were found guilty and consequently were awarded punishment of dismissal from service.

10. The contention of the disputant-workman is that both the criminal and departmental proceedings were held on the same and identical charges constituting same set of facts. Undoubtedly both the proceedings arose out of the alleged offence of theft. There has not been quoted any instance of previous misconduct of dishonesty or act like theft, or misappropriation or unauthorized use of company's property against either of the two workmen. The offence of theft always involve dishonest intention and unauthorized use of one's property without one's consent. Hence the charges of dishonesty and unauthorized use of company's property cannot be said to be distinct and separate from the act of theft.

Misconduct is a widespread term and every action which is against proper and fair conduct can be called misconduct. Therefore the act of theft may also come under the circumference of the term 'misconduct'. In my view the charges framed in the departmental proceeding or domestic enquiry cannot be separated, though they may seem like separate and distinct charges. It has to be kept in mind that the basis of charges was the alleged act of committing theft in both the proceedings namely in the criminal as well as, in the departmental proceedings. The facts narrated in the charge-sheet of the domestic enquiry and those raised in charges framed in the criminal trial are one and the same. Therefore it cannot be said that the departmental proceeding or domestic enquiry was held on separate and distinct charges from those of criminal trial. Both the proceedings started on the same set of facts and the charges based on those set of facts, by any reason, cannot be held distinct and separate. Therefore this issue is decided in the affirmative.

Issue No. 1

11. The disputant-workman has claimed his reinstatement in service with full back wages in view of the order of acquittal passed in criminal trial. It has been held in Issue No.3 that the charges in both the criminal and departmental proceedings were the same and identical. Therefore it has to be seen as to whether the order of acquittal passed in criminal trial has to be followed and the findings of the domestic enquiry are to be set aside?

12. The contention of the disputant-workman is that the proceedings in the domestic enquiry and criminal trial were initiated on the basis of report of theft and similar and identical facts were set in both the proceedings and even the evidence led by the prosecution was the same and identical. The judgement given in the criminal trial has to be followed and the findings given in the domestic enquiry should not have been different. The Enquiry Officer purposely brushed aside and over looked the statement of Shri C.K. Jha and witnesses of the workman and relied upon the statements of Management witnesses to uphold the charges against the disputant-workman. On casting a sight on the judgement of the criminal case and the findings of the enquiry officer it comes to notice that Shri Mahendra Prasad, Dy. Manager, Security; Mr. Prabodh Kumar Satpathy, Divisional Manager, Ferro Alloys Plant, Joda and Babaji Debnathan were the common witnesses in both the proceedings. They all are formal witnesses and have not seen the disputant-workman and Md. Rais Ahmad stealing the copper cable from Ferro Alloys Plant Store, yard, Joda and the recovery of 1.57 meters copper cable from the disputant-workman and Md. Rais Ahmad was not made before them by the police. All the witnesses of seizure of the stolen property, who were produced before the learned Magistrate, had turned hostile. In the domestic enquiry it was not brought to light as to who had stolen the 20 meters copper cable from the Ferro Alloys Plant

Stores Joda and a part (1.57 meters) out of 20 meters of copper cable was actually recovered from the possession of the accused persons i.e. the disputant-workman and Md. Rais Ahmad. There is also no direct evidence on record that the disputant-workman was contacting persons to sell the recovered copper cable. It cannot be easily swallowed that 20 meters of copper cable was stolen and only 1.57 meters was kept by the disputant-workman in the company's jeep which was merely worth of Rs. 1,500. It also cannot be believed that the disputant-workman and Md. Rais Ahmad rushed to the garage of Indra Mistry to sell out 1.57 meters of copper cable near about midnight when he was asked to bring Shri Tiu from his residence. According to his version he went to the garage of Indra Mistry for the repair of the clutch of the jeep. It was admitted by Shri C.K. Jha Management Witness No.1 in his cross-examination by the disputant-workman that the disputant-workman had told him about the clutch problem of the vehicle. All this is being discussed to come to a conclusion as to whether there is any iota of evidence on the probability of committing theft by the disputant-workman and Md. Rais Ahmad and recovery of a part of the stolen copper cable from their possession on the fateful night. There was no copper cable found in the said jeep when it was started from the main gate of the company. The jeep was checked by Shri R.S. Singh at that time. It is not revealed as to how 1.57 meters of copper cable came in the meantime in the jeep when it is stated that the disputant-workman and Md. Rais Ahmad directly went to the garage of Indra Mistry and within a short span of time they are shown to be engaged in disposing of a part (1.57 meters) of the stolen copper cable. Sangram Swain who was examined as Prosecution witness in the criminal trial has denied that he was asked by the accused persons to keep the articles in his shop and pay for it or arrange customers for the articles. He has also denied recovery. He was not examined in the departmental proceedings. Thus the introduction of the story of Shri Sangram Swain @ Kalu is alien to the fact of theft and does not appear to have any concern with the disputant-workman on the alleged facts. All this does not bring out a case of theft and recovery of a part of stolen copper cable from the disputant-workman.

13. When the facts on which charges in the criminal trial and domestic enquiry were framed are one and the same and the witnesses produced on behalf of the Prosecution/Management adduced no direct evidence regarding the occurrence, the conclusions arrived at should not have been different and if the conclusions are different, those given in the judicial proceeding have to be honoured, though it has been held in the case of "Southern Railway Officers Association and Another - Versus- Union of India & Others" reported in (2009) 9 Supreme Court Cases 24 that "acquittal in a criminal case is not a ground for interfering with the order of punishment imposed by disciplinary authority". In another case of Commissioner

of Police, New Delhi -Versus- Narender Singh reported in (2006) 4 Supreme Court Cases 265 the same view was adopted and it was held that if an employee has been acquitted of a criminal charge, the same by itself would not be a ground not to initiate a departmental proceeding against him or to drop the same in the event an order of acquittal is passed. In the case of Manager, Reserve Bank of India -Versus- S Mani reported in (2005) 5 S.C.C. 100 it was held that "it is trite that a judgement of acquittal passed in favour of the employees by giving benefit of doubt per se would not be binding up on the employer".

14. On the other hand, the disputant-workman has relied upon the ruling given in the case of "G.M. Tank - Versus- State of Gujarat and Another" reported in Air 2006 Supreme Court 2129. In this case the Hon'ble Supreme Court has held that where the departmental enquiry and criminal proceedings were based on identical and similar set of facts and evidence and the same witnesses were examined in criminal case and the criminal court honourably acquitted the employee, findings to contrary recorded in the departmental proceedings were unfair and oppressive and the dismissal order is liable to be set aside.

15. Here in this case three witnesses common to the departmental enquiry and criminal proceedings were examined by the prosecution side. Besides them, four witnesses were examined to prove recovery of a part of the stolen property in the criminal proceedings, whereas one extra witness was examined in the departmental enquiry leaving apart the witnesses examined by the disputant-workman in his defence. When the witnesses of recovery examined in the criminal proceedings turned hostile, the fact of recovery of a part of stolen property from the possession of the disputant-workman and Shri S.K. Mukhi cannot be held proved. The witnesses examined in the departmental enquiry by the disputant-workman were defence witnesses. As such they cannot be taken as different witnesses because they were not examined by the Management to prove the charges against the disputant-workman. It has already been said that the set of facts on which the whole episode was woven was that of committing theft and recovery of a part of stolen property viz. copper cable measuring 1.57 meters. All the charges are based on these two facts. If the charge of recovery of stolen property could not be proved against the disputant-workman and his companion, how could it be stated that they were in unauthorized use of company's property i.e. the jeep No BEP-269. There is no case of any previous misconduct or commission of any criminal act against the disputant-workman. As such it cannot be argued that the charges in the departmental enquiry were based on different set of facts or acts of misconduct. The Management has to show that the charges levelled in the departmental enquiry were based on some distinct and different facts, when the charges of theft and recovery of stolen property do not stand proved in the criminal trial. It

is beyond reason that the disputant-workman is held guilty of these charges without reliable and sufficient evidence. It is true that the judgement of acquittal in criminal proceedings does not make a ground for interference with the order of punishment imposed by the disciplinary authority, but the departmental enquiry must hold the charged employee guilty of charges with sufficient and un-inflinching evidence. The evidence led by the Management in the departmental enquiry, in my view, is not sufficient and if taken on face does not hold the disputant-workman and Shri S.K. Mukhi guilty of charges levelled against them. Therefore the findings of the domestic enquiry are perverse, unjustified and unfair and that cannot be sustained. In these circumstances the judgement of acquittal passed by the Judicial Magistrate (1st Class), Keonjhar comes to the help and rescue of the disputant-workman. The Hon'ble Karnataka High Court in the case of "M. Ravindran-Versus-The Management of Bharat Electronics Ltd." reported in 2002 LAB. LC. 1011 has held that acquittal of employee in criminal case on the same set of facts helps in seeking reinstatement. Therefore the principle of law, justice and equity demands that the disputant-workman's dismissal from service must be set aside. As such the demand of the disputant-workman Shri S.K. Mukhi, Senior Driver-cum-Havildar, Joda West Mines of TISCO Ltd. for reinstatement is justified, more-so in view of the order of acquittal of the Judicial Magistrate (1st Class); Keonjhar. But for the death of the disputant-workman during the pendency of the reference his claim for reinstatement in service has become infructuous and he can not be reinstated in service. He is no more to get usufructs of his demand. His legal heirs have been substituted in the reference who are entitled for the wages which he would have earned if his death would have not taken place. The death certificate of the disputant-workman shows that he had died on 6-6-2002. Therefore his legal heirs will be entitled to get Rs. 2.0 lacs (Rupees two lacs only) in lieu of back wages till the period of his death. This issue is decided accordingly.

Issue No. 2

16. As per discussions and the findings recorded above, the legal heirs of the deceased disputant-workman Shri S.K. Mukhi are entitled to get Rs. 2.0 lacs in lieu of or as back wages for the illegal and unjustified dismissal of Late Shri S.K. Mukhi from service by the 1st Party-Management. The 1st Party-Management is directed to pay a sum of Rs. 2.0 lacs to the legal heirs of the deceased disputant-workman Shri S.K. Mukhi within a period of three months from the date of publication of the award. Out of the above sum Rs. 75,000 each shall be given to the wife and daughter and Rs. 25,000 each shall be given to the father and mother of the deceased.

17. Award is passed accordingly.

Dictated & Corrected by me.

J. SRIVASTAVA, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2010

का.आ. 3139.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकॉम, चंडीगढ़ के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय 1, चंडीगढ़ के पंचाट (संदर्भ संख्या 69/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-11-2010 को प्राप्त हुआ था।

[सं. एल-40012/516/2000-आईआर(डी.यू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 29th November, 2010

S.O. 3139.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 69/2001) of the Central Government Industrial Tribunal-cum-Labour Court-1, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the Management of Department of Telecom, Chandigarh and their workmen, which was received by the Central Government on 28-11-2010.

[No. L-40012/516/2000-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case I. D. No. 69/2001

Shri Avtar Singh S/o Shri Lal Singh VPO Sohana, Tehsil-Mohali, Ropar.

...Applicant

Versus

The Principal General Manager, Telecom, Sector-18, Chandigarh- 160001.

...Respondent

APPEARANCES:

For the Workman : Shri Arun Batra.

For the Management : Shri Anish Babbar.

AWARD

(Passed on: 6-10-2010)

Government of India vide notification No. L-40012/516/2000-IR(DU), dated 31-01-2001 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal:-

“Whether the action of the management of Deptt. of Telecom, Chandigarh in terminating the services of

Shri Avtar Singh S/o Shri Lal Singh w.e.f. June, 1997 is just and legal? If not, to what relief the workman is entitled?"

After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. The case of the workman in nut shell is that he was engaged by the management of Telecommunication department on 01-04-1992 as Waterman. The services of the workman were terminated on 27-02-1999 in violation of section 25 F of the Act. The workman has completed 240 days of work in the preceding year from the date of his termination. The appointment of the workman was shown through a contactor which was shame and camouflage as the workman was directly working under the supervision and control of the management of Telecommunication. No notice, one month wages in lieu of notice or retrenchment compensation was paid to the workman before terminating his services. On the basis of the above contentions the workman has prayed for an order of setting aside his termination and reinstating him into the services on the same position he was working before his termination along with consequential benefits.

The management of respondent Telecommunication Department appeared and opposed the claim of the workman by filing written statement. The written statement is very voluminous but in nut shell the management has challenged the master and servant relationship between the workman and the management of respondent Telecommunication department. The legality of the initial appointment has also been challenged by the management.

Both of the parties were afforded the opportunity for adducing evidence. The oral evidence was recorded, whereas, the opportunity for filing documents were also afforded. Vide order dated 06-01-2009, the management was also directed to file certain documents mentioned in the order in para nos. 1, 2, 3 & 4. The management failed to file any such documents.

I have heard the parties at length and perused all the materials on record. Initially, the workman has not filed any documents. When the workman was cross-examined no document was filed but before the cross-examination of the witness of the management, the workman has filed certain documents to prove his direct relationship with the management of respondent Telecommunication department. The management was also afforded the opportunity for cross-examination on these documents. In spite of receiving the copies of these documents the management has not file any original documents nor any explanation given.

The management has challenged the claim of the workman on two contentions:

- (1) That the initial appointment of the workman was illegal,

- (2) There has been no master and servant relationship between the management of respondent, Telecommunication department and the workman.

So far as the first contention regarding initial appointment of the workman raised by the management is concern, I am of the view that it is the settled law of service jurisprudence that when a person has been appointed as a daily waged worker and has served the department for substantial period, the nature of his initial appointment is immaterial. Now it has to be seen whether the workman has proved by some cogent evidence that he was directly engaged as a daily wager by the management of respondent Telecommunication department.

The provision of the Industrial Disputes Act, protects the right of every workman. The workman may be appointed against the substantial vacancies as per the rules as a daily waged worker appointed by the management. These are two classes of the employees. One class is the employees who have been appointed against the substantial vacancies as per the rules of the department. The second class of employees is the workman who have been engaged on daily waged basis. The difference in two classes is that a daily waged worker has no right to post. Generally, this Tribunal cannot pass any order for regularization of the services of such a workman because it will leads to the inference in the lawful procedure relating to the public appointment. This role cannot be taken up by this Tribunal.

But so far as the other class of the workman is concern, if a daily waged worker has completed 240 days of work in the preceding year from the date of his termination, he has a right against illegal termination. Meaning thereby, the termination of a daily waged worker is not barred but the provisions of the Industrial Disputes Act regulates it. The termination of a daily waged worker is regulated in the sense that if the services of a daily waged worker who has completed 240 days of work are no more required the same can be terminated by issuing a month notice or by payment of one month wages in lieu of notice and subsequently by paying the lawful terminal dues. If it is not done the termination will be illegal and void abinitio being against the provisions of the Act.

The management has also contended that workman was a contractual worker. When the witness of the management was asked to file any document relating to the workman to prove that he is contractual worker he shows his ignorance about such documents. In spite of specific and speaking order dated 06-01-2009 no documents were filed by the management. On the other hand Shri Avtar Singh, workman has provided with several documents relating to the management. He has filed the copies of the vouchers by which the payment of wages was made good to him. These vouchers bears the

signature of Avtar Singh and it is also written in the handwriting of some employees of the department that amount was paid to Avtar Singh. Photocopies of the attendance register has also been filed by Avtar Singh which bears the signature of officer of the Telecommunication department. There is no where mentioned that this document was prepared for the payment of amount through the contractor. It bears the seal and signature of the officers of Telecommunication Department, and not of any contractor. In the noting above the signature which find place in some of the attendance register, it is nowhere mentioned that workman has worked through a contractor. As stated earlier, that witness of the management also failed to prove that the workman was working through a contractor.

It is undoubtedly true that workman has to prove that he was directly engaged by the management and has completed 240 days of work in the preceding year from the date of his termination. The manner of proving this fact depends on the workman. He can opt any method for proving it Prima facie the workman has proved that he was engaged directly by the management. The vouchers filed by the workman shows and proved it beyond doubt that he was directly working with the management. The copies of the attendance register also proves that he was directly working with the management. The management was directed vide order dated 06-01-2009 to file the original documents but the management, reasons know to it, failed. It is one of the mode available to the workman to prove the contemtion that he was directly engaged and paid by the management by summoning the documents lying in the custody of the management. The management failed to provide with the copies of the documents. Accordingly, adverse inference against the management shall be taken as per the settled principle of service law. The nature of adverse inference shall be that it shall be presumed that workman was directly working under the administrative control of the management, he was paid directly by the management and has completed 240 days of work in the preceding year from the date of his termination. The attendance register filed by the workman are up to 1996. The documents relating to 1997-98 were also summoned which the management could not file. Accordingly up to 1996, it is established by cogent evidence that workman has completed 240 days of work in every calendar year, whereas, from 1997 to 99 adverse inference is taken against the management and the nature of adverse inference is that he has completed 240 days of work in the preceding year from the date of his termination.

Admittedly, no notice one month wages in lieu of notice and retrenchment compensation was paid to the workman prior to the termination of his services which make his terminal illegal and void ab initio being against the provisions of the Act.

Whenever the termination of any workman is declared to be illegal and void ab initio against the provisions of the Act, there may be, as per the recent trend in the service jurisprudence two possible remedies available. The first remedy is the reinstatement of the workman on the same position he was working prior to his termination and second remedy is payment of reasonable compensation.

It is also the settled law of service jurisprudence that priority should be given for reinstatement of the workman on the same position on which he was working prior to his termination. It is hereby once again made clear that this order of reinstatement has no concern with the regularization of the services of the workman. The management has unnecessary and unsuccessfully linked these two issues. It is the protection of right to the workman and not the regularization of the services which are the fruits of this order. Accordingly, the management of Telecommunication is directed to reinstate the services of the workman on the same position he was working prior to his termination on enhanced daily waged rates within one month from the date of publication of the award. Considering the facts and circumstances of the case and conduct of the management workman shall also be entitled for the back wages. Accordingly, this reference is answered. Let Central Government be approached for publication of the award, and thereafter, file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2010

का.आ. 3140.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकॉम डिस्ट्रिक्ट मैनेजर, बी. एस. एन. एल., रोपड़ के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय 1, चंडीगढ़ के पंचाट (संदर्भ संख्या 56/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-11-10 को प्राप्त हुआ था।

[सं. एल-40012/335/2001-आईआर(डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 29th November, 2010

S.O. 3140.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 56/2002) of the Central Government Industrial Tribunal-cum-Labour Court-1, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the Management of Department of Telecom, District Manager, BSNL, Ropar and their workmen, which was received by the Central Government on 28-11-2010.

[No. L-40012/335/2001-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case I. D. No. 56/2002.

Shri Surmukh Singh, S/o Shri Chota Ram, Village-Chak Karma, P.O. Ghanauli, District-Ropar (Punjab).

...Applicant

Versus

The Telecom, District Manager BSNL, Ropar-140001.

...Respondent

APPEARANCES:

For the Workman : Workman in person

For the Management : Shri Deepali Puri

Award

Passed on: 6-10-10

Government of India vide Notification No. L-400 12/335/2001-IR(EU), dated 14-03-2002 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :—

“Whether the action of the management of Telecom, District Manager, BSNL, Ropar in terminating the services of Shri. Surmukh Singh S/o Shri Chota Ram, workman w.e.f 01-03-1999 is just and legal? If not, to what relief the workman is entitled to and from which date?”

After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. It is the contention of the workman that he was engaged on 01-04-1994 on daily wages by the management. His services were terminated on 01-03-1999 without a month notice or payment of one month wages in lieu of notice and without payment of retrenchment compensation. Juniores to him were retained in the services, whereas, his services were terminated. On the basis of the above the workman has prayed for an order of this Tribunal declaring his termination order void being against the provisions of the Act. The workman has further prayed for an order reinstating him into the services along with consequential benetits.

The management of the Telecommunication department appeared and opposed the claim by filing written statement. It is the contention of the management that workman was never engaged by the management nor a single penny of money was paid to him and he was never under the administrative control of the management. The master and servant relationship between the workman and the management has been challenged by the management.

Both of the parties were afforded the opportunity for adducing evidence. The workman filed his affidavit to prove his claim and he was cross-examined by learned counsel for the management. Shri Malkeet Singh and Shri Maher Singh filed their affidavits on behalf of the management and they were cross-examined by learned counsel for the workman. Documentary evidence has also been filed by the management. No documents were filed by the workman. The workman has only filed some photocopies of the dairy for the year 1998 having some entries. But in these documents the name of the workman does not figure even once. It is not possible to understand for what purpose the dairy was maintained and what relations it has with the workman.

I have heard the parties at length and perused the entire materials on record. The main issue before this Tribunal is whether there existed any employer and employee relationship between the management of Telecommunication department and the workman? The issue of employer and employee relationship has been dealt with by Hon'ble the Apex Court in GM, ONGC Shilchar versus ONGC Contractual workers union, 2008 LLR 801. In the above judicial pronouncement, Hon'ble the Apex Court has held that to prove the direct relationship between the management and the workman, workman has to prove the following facts:—

- (1) That their existed a master and servant relationship between the workman and the management (workman was directly engaged by the management).
- (2) That the workman was under the administrative control of the management.
- (3) That there was no contractor in between the management and the workmen.
- (4) That the payment of wages were made good by the management to the workman directly and not through by the contractor.
- (5) At the cost of the repetition the remittance rolls for the payment of wages were made by the management and not by the contractor.

Meaning thereby, it is the duty of the workman to prove that he was engaged by the management, he was paid by the management and he was under the administrative control of the management. There is not a single document on record to prove such relationship. It is the only contention of the workman that he was directly engaged by the management paid wages directly by the management and was under the administrative control of the management which will not be suffice. The oral contention of the workman is not sufficient to discharge his liability to prove the above facts. On the other hand, the management of respondent bank has filed all the relevant documents to prove that the services of the

workman were taken through a contractor. It is true that consolidated wages were paid to the contractor just for supply the labour without naming the labour. In absentia of any cogent evidence by workman it can be said that it is not bad in law.

A contract for supplying labour can also be given and enforced in number instead of names. In stead of it, the workman has failed to prove the above mentioned facts to establish the direct relationship with the managment. Accordingly there is no force in the claim of the workman. The claim is dismissed and reference is accordingly answered. The workman is not entitled for any relief. Let Central Government be approached for publication of the award, and thereafter, file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2010

का.आ. 3141.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डिपार्टमेन्ट ऑफ कन्टोनमेन्ट बोर्ड, मऊ के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 293/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-11-2010 को प्राप्त हुआ था।

[सं. एल-13012/8/1996-आईआर(डी.यू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 29th November, 2010

S.O. 3141.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 293/1997) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure, in the Industrial dispute between the employers in relation to the Management of Department of Cantonment Board, Mhow and their workman, which was received by the Central Government on 29-11-2010.

[No. L-13012/8/1996-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/293/97

Presiding Officer : Shri Mohd. Shakir Hasan

The President,
Cantonment Board Karmchhari Sangh,
Office Cantonment Board,
Mhow (M.P)

...Workman/Union

Versus

Cantonment Executive Officer,
Cantonment Board, Mhow,
Distt. Indore.

The Director,
Raksha Sampada,
Headquarters Madhya Kaman,
Lucknow (U.P)

...Managements

AWARD

Passed on this 4th day of November, 2010

1. The Government of India, Ministry of Labour vide its Notification No.L-13012/8/96-IR(DU) dated 14-10-97 has referred the following dispute for adjudication by this tribunal:-

“ Whether the action of the Cantonment Executive Officer, Cantonment Board, Mhow in not promoting Shri Ramesh Choudhary to the post of Valveman on the basis of seniority after breaking the old procedure rather than to appoint to the junior by direct appointment on the said post is justified? If not, to what relief the workman Shri Ramesh Choudhary is entitled for?”

2. The case of the Union/workman in short is that the workman was appointed as a Coolie on 30-6-80 and Shri Raja Ram was also appointed as Coolie at the same time. It is stated that Shri Raja Ram and another coolie namely Abdul Bari were promoted on the post of Valveman on 8-9-84 but at that time also there was provision for direct appointment on the post of Valveman under the Cantonment Fund Servant Rules 1937 (in short C.F.S.Rules, 1937). It is stated that there was long usage and practice in the Cantonment Board to fill up the vacancy of Valveman by promotion. In the same way the post of Octroi clerk/ Junior clerk was also to be filled up from direct appointment but Shri Pyarelal, Coolie was promoted on 19-8-96 on Octroi clerk. The further case is that on 30-6-94 the Cantonment Executive Officer invited applications by issuing office order from departmental employees to fill up the vacancy of Valveman. The workman submitted application on 4-7-94 before the Executive Officer. It is stated that one Ajit Kumar was working as daily wager employee who had no experience of plumbing and therefore, for giving favourism to Shri Ajit Kumar, the Executive Officer did not fill up the vacancy of Valveman on promotion and remained kept it pending for six months and invited application from the Employment Exchange for direct appointment to give the benefit to Shri Ajit Kumar whose sole name was forwarded to the Executive Officer. In the meantime, the management gave him training of Valveman. Thereafter the interview was called out on 22-5-95 but the management appointed vide order dated 29-5-95 to Shri Ajit Kumar showing it as a procedure of direct appointment. There is clear violation of the procedure adopted by the managment in earlier cases to give the benefit of his favourable candidate. It is submitted that the workman be directed to be promoted

on the post of valveman w.e.f. 29-5-95 with admissible pay and allowance.

3. The management appeared and filed Written Statement in the reference. The case of the management, inter alia, is that admittedly the workman Shri Ramesh Choudhary was appointed as coolie in the year 1980. It is admitted that Shri Raja Ram and Shri Abdul Bari were also appointed as coolie and they had been promoted to the post of Valveman though the rule was to fill up that vacancy of Valveman by direct appointment. The promotion of those employees was against the rules. It may be possible that their promotions were done in view of old usage because before classification of the posts, the post of Valveman was filled up by promotion. The post of Octroi clerk is a promotion post and, therefore, Shri Pyarelal was promoted on the post of Octroi clerk as per rules. It is admitted that the application was invited from the departmental employees for appointment of Valveman and the name was also called from Employment Exchange for direct appointment on that post as per rules. The workman Shri Choudhary had also submitted application. It is stated that the post was not filled up then and there because the application was called for from Employment Exchange as per rules. After receipt of the name from the Employment Exchange, the appointment was done. It is true that the departmental employees were also called for interview on 22-5-95. It is stated that the appointments are being done under C.F.S. Rules, 1937 and the classification of the posts was ordered in the year 1978 and it is being followed. It is stated that the appointment of Shri Ajit Kumar by the management was on the basis of rules. On these grounds, it is submitted that the action of the management is justified.

4. The following issues are settled for adjudications—

I. Whether the action of the Cantonment Executive Officer, Cantonment Board, Mhow for not promoting Shri Ramesh Choudhary to the post of Valveman on the basis of seniority after breaking the old procedure rather than to appoint to the junior by direct appointment on the said post is justified ?

II. If so, what relief the workman is entitled to?

5. Before discussing the issues, it is important to note the following admitted facts :

1. The workman Shri Ramesh Choudhary was appointed as a coolie in the year 1980.
2. Shri Raja Ram and Shri Abdul Bari were also initially appointed as coolie but they were promoted to the post of Valveman on 8-9-84.
3. That time there also was provision for direct appointment of valve man under the C.F.S. Rules, 1937.
4. Shri Pyarelal was also initially appointed as collie and he was also promoted to the post of Octroi clerk.
5. The Cantonment Executive Officer vide his office order dated 30-6-94 invited application

from the departmental employees for filling up the vacancy of valveman.

6. The workman Shri Choudhary also submitted his application for the post of Valveman on 4-7-94.
7. At the same time, the name was also called from the Employment Exchange for appointment of valveman.
8. The Employment Exchange forwarded the only name of Shri Ajit Kumar for appointment of Valveman.
9. The workman Shri Choudhary was also called for interview to the post of Valveman on 22-5-95.
10. Shri Ajit Kumar was appointed as Valveman vide order dated 29-5-95 on the basis of direct appointment.

6. Issue No. I

To prove the case, the workman has adduced evidence in the case. The workman Shri Ramesh Choudhary is examined in the case. His evidence shows that he was interviewed for the post of valveman but he was not selected. He has stated that no experience was required. Exhibit M/3 shows otherwise that the experience of plumber was to be given preference. The said document further shows that the post of valveman was of direct appointment. This workman appears to have applied for the post. Exhibit M/2 is his application. This itself shows that the workman had accepted the criteria of direct appointment and applied and faced the interview. It is clear that he had not challenged the order dated 30-6-1994 (Exhibit M/3) whereby the application was invited for direct appointment for valveman. He had only challenged the appointment on the basis of promotion when he failed in the interview. C.F.S. Rules 1937 Annexure-“C” also corroborates this fact that the post of valveman of Cantonment Board, Mhow is of direct appointment. I find that since he faced the interview, he is to be estopped from raising subsequently to fill up the vacancy by promotion when the vacancy was filled up by direct appointment by the principle of rule of estoppel. Considering the discussion made above, I find that the management is justified in not appointing the workman on promotion. This issued is, accordingly, answered.

7. Issue No. II

It is evident that the workman is not entitled to be promoted as valveman in the above discussed circumstances. As such he is not entitled to any relief. The reference is, accordingly, answered.

8. In the result, the award is passed without any order to costs.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2010

AWARD

का.आ. 3142.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्थ ईस्टर्न ऐप्लीकेशन सेन्टर, बारापानी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, गुवाहाटी के पंचाट (संदर्भ संख्या 10/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-11-2010 को प्राप्त हुआ था।

[सं. एल-42012/42/2008-आई आर(डी.यू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 29th November, 2010

S.O. 3142.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 10/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Guwahati as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of North Eastern Space Application Centre, Barapani and their workman, which was received by the Central Government on 28-11-2010.

[No. L-42012/42/2008-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**IN THE CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT GUWAHATI,
ASSAM**

Present : Sri D. K. DEB ROY, M.A., LL.B.,
Presiding Officer,
CGIT-cum-Labour Court, Guwahati.

In the matter of an Industrial Dispute
between :

The Management North Eastern Space
Application Centre, Barapani, Shillong,
Meghalaya.

Vrs.

Their Workman, Sri Edison Tangsang,
Shillong.

Ref. Case No.10 of 2008

APPEARANCES :

For the Management : 1. Mrs. R. Borah, CGC
2. Ms. B. Deka, Advocate.
For the Workman : Sri N.G. Shylla, Advocate.
Date of Award : 12-11-2010.

1. The present Reference Case is arising out of Order No.L-42012/42/2008-IR(DU); Dated: 01-08-2008, issued by Government of India, Ministry of Labour & Employment. to adjudicate the issue as described in the Schedule below :

SCHEDULE

“Whether the action of the management of the Director, North Eastern Space Application Centre, Shillong in terminating the services of their workman Shri Edison Tangsang. w.e.f. 01-03-2007 is legal and justified? If not, to what relief the workman is entitled to?”

2. On receipt of the reference case notice was served on both the parties and they appeared before this Court and presented their written statements. Parties adduced evidence in support of their respective claims and the matter was heard.

3. Factual scenario :—

The workman namely Edison Tangsang has submitted his written statement alleging inter-alia that he was verbally appointed as casual employee in the capacity of Cleaner-cum-Sweeper in the Office of the North Eastern Space Application Centre, Barapani, Meghalaya (in short NESAC) w.e.f. 1st July, 2002 on a daily wage of Rs.50. Thereafter the workman has been performing his duty as Cleaner-cum-Sweeper from that day onwards. Unfortunately, on 1-3-2007 he was verbally sacked by the Director of NESAC, Barapani, Meghalaya. He requested the NESAC (in short the Management) to allow him to continue as temporary casual worker but his request was turned down. It is further alleged that he was terminated from the service most arbitrarily without following the due process of law and even he was not heard. So there was a flagrant violation of the Natural Justice. Thereafter the conciliation proceeding took place but no settlement could be arrived at. In pursuance of the failure report submitted by ALC (C), Guwahati, the Government of India referred this dispute to this Tribunal for adjudication.

4. The North Eastern Space Application Centre (in short NESAC), the Management contested the proceeding by filing written statement refuting the claim of the workman.

The Management in his W.S. has contended inter-alia that the workman was temporarily engaged as a Cleaner-cum-Sweeper in their Guest House at a daily wage basis. It is further asserted that the NESAC is an Autonomous Body under the Administrative Control of Space and is therefore required to follow the various Rules and Orders issued from time to time by the Government of India. In case of appointment in permanent nature, it is incumbent on the part of the NESAC to adopt due Selection Process and the

names of the intending candidates should be sponsored by the local Employment Exchange. According to the Management, no selection process was adopted since he was temporarily casual worker. The further case of the Management is that in such a situation no temporary status could be conferred on the workman and the question of regularization of his service does not arise at all. No attendance Register is maintained for the part-time casual workers. Payment was being made to the Casual Temporary workers on the basis of the report submitted by the Care Taker. The zerox copies of so-called attendance register submitted by the workman is not genuine and this sort of attendance register is not maintained by the NESAC in respect of part-time workers. The further case of the Management is that the Government of India has imposed a ban in regard to the recruitment to the post of Gr.D in all Central Government Offices. Due to the embargo imposed upon by the Government the permanent appointment to the concerned workman can not be done. According to the Management the engagement of the workman was discontinued with effect from 1-1-2007 and the cleaning work in the Guest House was awarded to a Contractor/Out sourcing Agency for engaging persons for Gr-D Posts. The question of regularisation of the workman is not legally sustainable and the petition deserves to be rejected.

5. The workman examined 2 witnesses including himself. The Management on the other hand has examined one witness.

6. Decision and reasons thereof:

Heard both sides at the Bar. The learned Counsel for the workman emphatically submitted that the workman continued in his service as a temporary daily wage earner with effect from 1-7-2002 to 1-3-2007, so considering his length of service, the service of the workman should have been regularized by the Management. He has drawn my attention to Annexures-9,10,11,12.

Per-contra, learned Counsel for the Management on the other hand has submitted admittedly, the workman is a part-time casual cleaner-cum-sweeper at a daily wage of Rs.50 and he was verbally engaged for the said post. No selection procedure was adopted nor his name was sponsored by the local Employment Exchange. So the question of regularization does not arise at all. That apart, due to the ban imposed by the Government in respect of appointment of Gr-D persons, the claim for regularization of the workman also can not be considered. So the case of the workman appears to devoid of merit. Here, let me discuss the evidence on record.

7. W.W.1, is the workman himself has said in his evidence that he was working as Cleaner-cum-Sweeper in the NESAC, Barapani w.e.f. 1st July, 2002 at a daily wage of Rs. 50. The Director, NESAC, verbally instructed him about the discontinuation of his service w.e.f 1-3-2007. He

requested the Management to allow him to continue the service but the request was not acceded to. This witness has submitted the copies of attendance register and one letter Annexure- I, dated 18th February, 2003 issued by OSD, NESAC. This witness has been cross-examined by the learned counsel for the Management. In cross-examination this witness has admitted that he was verbally engaged and no appointment letter was issued to him and he was verbally removed from service. He has also admitted that no selection procedure was adopted and his name was not sponsored by the local employment exchange. He has also admitted in the cross-examination that the payment was made to him on the basis of the report submitted by the Care Taker of the Guest House. He has also admitted that after the termination of his service on 1-3-2007 he was asked to continue his work through out-sourcing Agency but he refused to do so. The Management suggested this witness that he has no legal right to continue the service though he answered in negative.

W.W.2, is also co-worker with the workman. According to him the workman is known to him. The workman joined in NESAC in the year 2002. The normal working hours starts from 9 A.M. to 5 P.M. He has stated that his service was also terminated on the same day along with his colleague, the concerned workman. In cross-examination, this witness has admitted that the so-called attendance register does not bear the seal of the Management. The Management suggested this witness that the so-called attendance register was not issued by the Management. Annexure-I was issued by OSD but there was no official seal.

The solitary witness on behalf of the Management has said in his evidence that he is the Administrative Officer in the NEAC Meghalaya. The workman was engaged in their Guest House as a cleaner-cum-sweeper with effect from 1st July, 2002 as part time worker on daily wage basis. No selection procedure was adopted nor the name of the workman was sponsored by the employment exchange. The Minimum Wages Act was not applicable to the workman since he was a part time worker. They do not maintain any attendance register in case of temporary worker. According to him the attendance register as submitted by the workman was not issued by the Management nor it was signed by any designated officer. As per Policy of the Government of India, post of Gr-D has been totally abolished and persons are being engaged in Gr-D post from out sourcing Agency. Temporary entry pass was issued to the workman so as to enable him to enter into the place of work. This witness has admitted that the engagement of the workman was discontinued on 1-1-2007 due to the implementation of the new Policy of the Government prohibiting recruitment of Gr-D post. According to him, Annexure-I was not issued from his Office. Since the workman was purely temporary casual workers his staking claim of regularization does not arise at all. In cross-

examination, this witness has admitted that there is no permanent staff in Gr. C & D in their department. No appointment letter was issued to the workman, simply he was engaged verbally. Mark 'X' is an attendance register in respect of the workman. In cross-examination, this witness has admitted that the so-called attendance register was observed by the Care Taker of the Guest House. It was suggested by the workman that concerned workman was illegally terminated from service though he answered in negative.

8. I have meticulously gone through the evidence adduced by the workman vis-a-vis the evidence adduced by the Management. The learned Counsel for the workman submitted that in view of the Annexures-9,10,11,12, the service of the workman should have been regularized by the Management. I have considered Annexure-9, dated 29-3-2007, issued by Assistant Director, National Commission for Schedule Tribes requesting the Management to consider the case for regularization. Similar request was made to the Management by Asstt. Director, National Commission for Schedule Tribes, Govt. of India, Regional Office Shillong, vide Annexure-10. I have also gone through Annexure-11 and 12. I have also considered Annexure-I. which shows that it was issued by OSD on 18th February, 2003 prescribing the office hours from 9 A.M. to 5 P.M. The letter does not bear any official seal. Even if, this Annexure-I is considered it does not confer any right to the workman for regularization. There is a statutory Rules for recruitment and no appointment shall be made de hors Recruitment Rules.

I do not find any substance in the submission advanced by the learned counsel for the workman.

9. From the evidence it is thus seen that the workman was temporarily engaged as cleaner-cum-sweeper in the Guest House at a daily wage basis of Rs. 50. It is also admitted position that no recruitment procedure was adopted before his temporary engagement, nor his name was sponsored by the local employment exchange.

10. Learned counsel for the Management during the course of argument has rightly pointed out that in such engagement; question of regularization does not arise. It is further argued that due to the ban imposed by the Government of India in respect to the appointment to the Gr.D post, the Management does not have any legal right to appoint any person in Gr.D post permanently. In this regard, Learned counsel for the Management relied on a decision reported in (2006) 4 SCC 1, Secretary, State of Karnataka and Ors. vs Umadevi and Ors., wherein it has been emphasised that fortuitous service rendered on a fixed pay or on daily wage though may have continued for long, will by itself not vest in an incumbent a right for regularization. The learned Counsel for the Management also relied on W.P. (C) 1595/2007, Amarjit Kaur vs The

Union of India & Ors., wherein it has been observed by the Hon'ble Gauhati High Court that in case of temporary daily wage earner, his regularization of service can not be recognized legally.

11. In this context let me refer the following decisions of the Apex Court :—

Reported in (2009) 4 SCC , State of Karnataka and Ors.-vs-G.V. Chandrashekhar, wherein the Apex Court has reiterated that ad hoc appointment even if it continues for a long time can not be ordered to be regularized.

Reported in (1994) 4 SCC 138, Umesh Kumar Nagpal-Vs- State of Hariyana, wherein it has been observed "equality Clause as enshrined in Article 16 mandates that every appointment to the public post or office should be made by open advertisement so as to enable all eligible persons to compete for selection on merit".

Reliance can also be placed in a recent decision of Apex Court reported in, 2010 LAB IC 2181, wherein, it has been observed Article 16- regularization of service-appellant engaged as daily wagger- not appointed in sanctioned post-merely because they had worked for 10 years, they would not get the benefit of regularization of service.

12. Having heard both sides and having considered the evidence as discussed above and having regard to the ratio as laid down by the Hon'ble Apex Court and High Court, I am constrained to hold that no relief can be granted to the workman. The reference, thus, answered accordingly.

ORDER

'The matter stands disposed of. However, no cost. Send the Award to the Ministry as per law.

Given under my hand and seal of this Court on this 12th day of November, at Guwahati.

D. K. DEB ROY, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2010

का.आ. 3143.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीनियर सुप्रीन्टेन्डेंट ऑफ पोस्ट्स ऑफिसस, अम्बाला के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 151/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-11-2010 को प्राप्त हुआ था।

[सं. एल-40012/85/2006-आई आर(डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 29th November, 2010

S.O. 3143.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the Award (Ref. No. 151/2003) of the Central Government Industrial Tribunal-cum-Labour Court-1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Department of Senior Suptd. of Post Offices, Ambala and their workman, which was received by the Central Government on 28-11-2010.

[No. L-40012/85/2006-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH

Case ID No. 151/2003

Shri Gurdial Singh S/o Sh. Mehar Singh,
Village Changnoui, P.O. Bilaspur,
Distt. Ambala (Haryana)

...Applicant

Versus

The Sr. Suptd. of Post Offices, Ambala Division,
Ambala (Haryana)-133001

...Respondent

APPEARANCES :

For the Workman : Shri N. K. Nagar
For the Management : Shri Santosh Kumar

AWARD

Passed on 2-11-2010

The Government of India vide Notification No. L-40012/85/2006-IR(DU), dated 15.01.2007 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :—

“Whether the action of the management of Senior Suptd. of Post Offices, Ambala Division, Ambala in removing Shri Gurdial Singh S/o Shri Mehar Singh, Ex-Extra Departmental Delivery Agent/Runner from services w.e.f. 1-9-2000 is just and legal? If not to what relief the concerned workman is entitled to and from which date?”

After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. It is the contention of the workman that he was illegally removed from the services by the management on 1-9-2000. Proper enquiry was not conducted against him. Proper opportunity

of being heard was not afforded to him. The punishment awarded to him was harsh and grave.

The management appeared and opposed the claim by filing written statement. It was stated by the management that management is not an industry and Shri Gurdial was not a workman as per the definition given in the Industrial Disputes Act. A proper and fair enquiry was conducted against him. All the three charges were well proved against the workman. Considering the gravity of the charge, he was rightly removed from the services.

Parties were heard in person as well as through their learned legal representatives. File of Enquiry is on record. On perusal of materials on record, it is clear that workman was charged as follows :—

- (1) While working as EDDA/R Changeli EDBO in accounts with Bilaspur, S.O. for the period from 6-10-1997 to 7-4-1998 Shri Gurdial Singh remained unauthorized absent from his duty from 6-10-1997 and again from 6-4-1998 to 7-4-1998 without any prior leave or providing any substitute vide him thereby infringing provisions of D.G.'s instruction below Rule 5 of EDAs (Conduct and Service) Rules 1964 issued under No. 43/38/72-Pen dated 24-4-1972 and thus he is alleged to have failed to maintain devotion to his duty as required vide Rule 17 of EDA's (Conduct and service) Rules, 1964.
- (2) While working as EDDA/R Changeli EDBO in accounts with Bilaspur, S.O. for the period from 30-12-1996 to 5-4-1998, Shri Gurdial Singh failed to maintain visit book for the period from 23-2-1997 to 1-3-98, 28-3-98 to 5-4-1998 and also failed to visit their on 2-3-1998, 3-3-1998, 4-3-1998, 19-3-1998, 24-3-1998, 25-3-1998, 26-3-1998. Judoshekhon on 12-3-98, 24-3-98, 25-3-98, 26-3-98, 27-3-98, Ramkheri on 26-3-98, 27-3-98, Teha on 23-3-98, 24-3-98, 25-3-98, 26-3-98, 27-3-98, and Village Chanwala on 24-3-98 and 25-3-98 thereby infringing Rule 9 of Rules for Branch Offices (corrected up to 31-3-82 and thus alleged to have failed to maintain devotion to duty as required vide Rule 17 of ED A's (Conduct and Service) Rules, 1964.
- (3) Shri Gurdial Singh while working as EDDA/R Changnoui EDBO in account with Bilaspur for the period from 30-4-1997 to 20-5-1997 failed to credit amounts of Kota (Rajasthan) V.P.P. No. 878 dated 24-4-97 for Rs. 389 (including M.O. Commission) and Dehradun VPP No. 1438 dated 1-5-1997 for Rs. 123 (including M.O. Commission) on the day of delivery i.e. on 30-4-1997 same from 30-4-1997 to 19-5-1997 and 5-5-1997 to 19-5-97 respectively for personal use and thus alleged to have failed to maintain absolute integrity and

devotion to duty as required vide Rule 17 of EDAs (Conduct and Service) Rules, 1964.

- (4) Shri Gurdial Singh while working as EDDA/R Changnoui EDBO in accounts with Bilaspur S.O. for the period from 2-4-98 to 5-4-98 failed to render return of articles transferred to him for delivery on above dates and also enter such articles in his postman book thereby infringing provisions of Rule 9 of Rules for Branch offices (Corrected up to 31.03.92) and thus failed to maintain devotion to duty as required vide Rule 17 of EDAs (Conduct and Service) Rules, 1964.

Both of the parties were heard on the issue of fairness of enquiry. The issue of fairness of enquiry was decided by this Tribunal vide order dated 5-3-2010. After hearing on the issue of fairness of enquiry this Tribunal has also framed the issues vide order dated 5-3-2010. The issues framed by this Tribunal are as follows :—

- (1) Whether the postal department is an industry?
- (2) Whether the applicant is a workman?
- (3) Decision making of the enquiry officer i.e. whether the decision making suffers with any perversity and illegality.
- (4) Quantum of punishment.

The issue of fairness of enquiry was decided with the direction that a fair, proper and reasonable enquiry was conducted by the management and there had been no violation of any rules of the principle of natural justice.

Parties were also afforded the opportunity for adducing evidence. Both of the parties did not prefer to adduce any oral evidence. It was contended by both of the parties that the industrial dispute can be decided on the basis of the materials on record particularly the enquiry file. Accordingly, the evidence of the parties was closed. Parties were heard at length and file was reserved for the award.

So far as the issue No. 1 & 2 are concern, the management has contended that neither the management is an industry nor the petitioner a workman under the provisions of the Industrial Disputes Act, 1947 (to be referred for short "the Act"). That the management is engaged in the research work and does not fall in the category of the industry as defined by Section 2 of the Act. That this very Tribunal has in the case of Ram Dulari versus Officer Incharge, Soil and Water Conservation Research and Training Institute, Chandigarh has held that the management is not an industry. Therefore, the claim of the workman under the Act is not maintainable. Management have prayed for placing on record the copy of the judgment dated 23-7-2002 passed in I.D. No. 22 of 1990 and titled as Ram Dulari v/s Officer Incharge (surpa).

The Hon'ble Supreme Court has defined the term 'Industry' in the case of Bangalore Water Supply and Sewerage V/s A.Rajappa reported as 1978 Lab. IC 778 in the following terms :—

(I) Industrial as defined in S2(j) and explained in Banerji case, has a wide import.

- (a) Where there is a (i) systematic activity, (ii) organized by co-operation between employer and employee (the direct and substantial element is chimerical) (ii) for the production and/or distribution of goods and services calculated to satisfy human wants and wishes (not spiritual or religious but inclusive of material things or services geared to celestial bless, in making on a large scale, Prasad of food) prima facie, there is an 'industry' in that enterprise.
- (b) Absence of profit motive or gainful objective is irrelevant, be the venture in public, joint, private or other sector.
- (c) The true focus is functional and the decisive test in the nature of the activity with special emphasis on the employer-employee relations.
- (d) If the organization is a trade or business, it does not case to be one because of philanthropy animated the undertaking.

(II) Although Section 2(j) uses words of the widest amplitude in its two limbs, the re-meaning cannot be magnified to overreach itself.

- (e) 'undertaking' must suffer a contextual and associational shrinkage, as explained in Banerji and in this judgment; so also the words, service, calling and the like. This yields the inference that all organized activity, possessing the triple elements in I (supra), provided the nature of the activity, viz, the employer-employee basis, bars resemblance to what we find in a undertaking, callings and services, adventures 'analogous to the carrying on of trade or business'. All features, other than the methodology of carrying on the activity, viz, in organizing the co-operation between employee, may be dissimilar. It does not mater if one the employment terms, there is analogy.

(III) The ideology of the Act being industrial peace, regulations and resolution of industrial disputes between employer and workmen, the range of this statutory ideology must inform the reach of the statutory definition, Nothing less, nothing more.

- (f) The consequence are— (i) professions, (ii) clubs, (iii) education institutions,

(iv) co-operatives (v) search institutes, (vi) charitable projects and (vii) other kindred adventure, if they fulfill the triple tests listed in para -I (supra), cannot be exempted from the scope of s 2(j).

- (g) A restricted category of professions, clubs, co-operatives and even gurukuls and little research labs, may qualify for exemption if they are simple ventures; substantially and going by the dominant nature criterion, substantively, no employees are entertained but in minimal matters; and marginal employees are hired without destroying the non-employee character of the unit.

If, in a pious or altruistic mission, many employee themselves, free or for small honoraria or like return, mainly drawn by sharing in the purpose of case, such as lawyers volunteering to run a free legal services clinic or doctors serving in their spare hours, in a free medical center or ashramites working at the bidding of the holiness, divinity or like central personality and the services are supplied free or at nominal cost and those who serve are not engaged for remuneration on the basis of master and servant relationship, then the institution is not an industry; even if stray servants, manual or technical, are hired: Such eleemosynary or like undertaking alone are exempt not any other generosity, compassion, developmental passion or project.

(III) The dominant nature test:

- (a) Where a complex of activities, some of which qualify for exemption, others do not, involves employee in the total undertaking, some of whom are not workmen as in the University of Delhi case or some departments are not productive of goods and services is isolated, even then, the predominant nature of the services and the integrated nature of the departments, as explained in the **Corpn. of Nagpur** will be the true test. The whole undertaking will be an industry, although those who are not workmen by definition, may not benefit by the status.
- (b) Notwithstanding the previous clauses, sovereign functions, strictly understood, (alone) qualify for exemption not the welfare activities or economic adventure undertaken by government or statutory bodies.
- (c) Even in departments discharging sovereign functions, if there are units which are industries

and they are substantially severable then they can be considered to come within s 2(j).

- (d) Constitutional and competently enacted legislative provisions may remove from the scope of the Act categories which otherwise may be covered thereby.

(IV) We overrule the Safdarjung Hospital case, the solicitors case, the Gymkhana case the Delhi University case, the Dhanrajgirji Hospital case, and other rulings who ratio runs counter to the principles enunciated above, and the Hospital Mazdoor Sabha case, is hereby rehabilitated.

In view of the judgments of the Supreme Court there remains no merit in the submission of the management that they are not industry. The management are producing/ supplying services, with a view to satisfy human wants or wishes, whether or not any capital has been invested for the purpose of carrying on such activity or carried on with a motive to make any case former. The Apex Court has kept all these consideration away from the definition of the industry. They have laid the stress on the systematic activity organized by corporation between the employer and the employee, for the production or distribution of goods and services to satisfy the human wants and wishes. The judgment in Bangalore Water and Sewerage Board (supra) hold good even today and in the face of that, there is no merit in the contention of the management. Accordingly, both of the issues are disposed off with the finding that management is an industry and petitioner a workman.

It is true that workman has also admitted that he remain absent on two occasions and deposited the amount by some delay. On the basis of it, the enquiry officer has held that it was a temporary embezzlement committed by the workman and a major misconduct. Hon'ble the Apex Court in several judicial pronouncements has defined the term misconduct. For misconduct the act which constitutes the misconduct must be committed intentionally. Thus, the management has to prove that act of the workman for depositing the amount by delay of few days was done intentionally. If any act is done without any criminal intention for embezzlement of amount, it may be negligence on the part of the workman but not the embezzlement. While defining the misconduct the Hon'ble Apex Court in *Inspector Prem Chand Vs. Govt. of NCT of Delhi*, 2007(4) SLR 243, Hon'ble Mr. Justice S.B.Sinha in para 8 of the judgment has held, as under :—

"Code of conduct as set out in the conduct rules clearly indicates the Conduct expected from a member of the service. It would follow that the conduct which is blameworthy for the Govt. servant in the context rules out to be misconduct. If a servant conducts himself in a way in

consistent with due and faithful discharge of his duty in service, it is misconduct."

In para 8 itself, Hon'ble the Apex Court, regarding the definition of negligence, errors of judgments or innocent mistakes, do not constitute such misconduct.

There is no iota of evidence on record to prove that workman has intentionally delayed the deposition of the amount with intends to use the amount for his own benefit. The facts and circumstances of the case proved that these were the casual lapses or negligence committed by the workman which cannot be termed as a temporary embezzlement. There is a hair line difference between the act done intentionally and mistake committed by the negligence of the workman. In case of intentional act, it will amount to temporary embezzlement; otherwise it will be a share negligence on the part of the workman. The share negligence may also constitute the misconduct but the gravity of the misconduct shall be much lesser than the gravity of the misconduct based on the embezzlement.

This issue has not been discussed and dealt with by the enquiry officer while deciding the issue of temporary embezzlement. As stated earlier, there is no iota of evidence on record to prove that workman has any intention to misuse the government funds. Accordingly, in my view, it is the share negligence on the part of the workman and not the temporary embezzlement because it lacks the intention which is the important ingredient of the embezzlement. It was the perversity in decision making of the enquiry officer in holding that workman has intentionally with held, for his own benefit, certain amount for few days which amounts to the temporary embezzlement. As stated earlier, it was a casual negligence on the part of the workman which cannot be said to be temporary embezzlement.

The punishment awarded to the workman should be proportionate. Section 11 A of the Industrial Disputes Act, empowers this tribunal to exercise the jurisdiction in exceptional cases to modify or rectify the punishment awarded by the disciplinary authority. In the case of dismissal and discharge, this Tribunal can invoke the jurisdiction vested under Section 11-A, if the punishment awarded causes miscarriage of justice to the workman. It has also to be seen that punishment is disproportionate and harsh then committed misconduct. As stated earlier that it was not the case of temporary embezzlement but the negligence on the part of the workman. Accordingly, the charge proved against the workman is his unauthorized absent on two occasions for few days and negligence in depositing the amount delayed by few days. Thus, it is a case where the jurisdiction vested under Section 11-A, can be invoked by this Tribunal because if it is not done it will cause miscarriage of justice to the workman. Accordingly, by exercising the jurisdiction vested under Section 11-A of the Act, the punishment awarded by the disciplinary

authority is modified. In spite of removal of the workman from the services the punishment is converted into stoppage of two increments with cumulative effect. The management is accordingly directed to reinstate the workman with all the benefit of within one month from the date of publication of the award by implementing the substitute punishment awarded to the workman by this Tribunal. Let Central Government be approached for publication of award, and thereafter, file be consigned to record room.

Chandigarh.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2010

का.आ. 3144.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पोस्ट ऑफिस एम. डिवीजन, लुधियाना के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 317/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-11-2010 को प्राप्त हुआ था।

[सं. एल-40012/255/2001-आई आर(डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 29th November, 2010

S.O. 3144.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 317/2001) of the Central Government Industrial Tribunal/Labour Court-1, Chandigarh as shown in the Annexure, in the industrial Dispute between the employers in relation to the management of Department of Post Offices (M) Division, Ludhiana and their workman, which was received by the Central Government on 28-11-2010.

[No. L-40012/255/2001-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case I. D. No. 317/2001

Shri Nachhattar Singh S/o Shri Ishwar Singh, C/o Shri B.N. Sehgal, 49/69, Harpal Nagar, Ludhiana-141001.

...Applicant

Versus

The Superintendent of Post Offices (M) Division,
Ludhiana-141 001

...Respondent

APPEARANCES:

For the Workman : Shri B.N.Sehgal.
 For the Management : Shri Sanjeev Kumar,
 Inspector Post Office.

AWARD

Passed on 29-10-2010

Government of India vide notification No. L-40012/255/2001-IR(DU), dated 20-11-2001 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :—

“Whether Shri Nachhattar Singh, ED BPM is a workman or not, of so, the action of the management of Superintendent of Post Offices (M) Division, Ludhiana in awarding the punishment of dismissal from services to Shri Nachhattar Singh S/o Shri Ishwar Singh is just and legal? If not, to what relief the workman is entitled to and from which date?”

After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. The main contention of the workman is that he was illegally dismissed from the services as no fair and proper enquiry was conducted against him. It is also contended by the workman that punishment awarded to him was disproportionate to the committed misconduct. The workman has mentioned in para No. 6 of the claim facts affecting the enquiry. According to him he was given the charge sheet without affording any opportunity to reply the same. He was not given any opportunity for cross-examine the management witness and was not also afforded the opportunity for adducing evidence in defence. The copy of the enquiry report was not supplied to him and he was not afforded the opportunity, for personal hearing. On the basis of the above contentions, the workman has contended that there was no fair and proper enquiry conducted against him and consequentially prayed for setting aside the dismissal order and for consequential order reinstating him into the services with consequential benefits.

The management appeared and opposed the claim of the workman by filing written statement. It was contended by the management that a fair and proper enquiry was conducted against the workman. He was afforded all possible opportunity of being heard and there has been no violation of any rules of the principle of natural justice. The management has also contended that considering the nature of misconduct and punishment awarded to him by the disciplinary authority after affording him the opportunity of being heard, punished was adequate and proportionate to the committed misconduct.

Both of the parties were afforded the opportunity for adducing evidence. Oral evidence was recorded. Entire enquiry file has been filed. I have heard the parties at length and perused the entire materials on record.

The workman was charge sheeted as under :—

- (1) That the said Shri Nachhattar Singh while working as EDBPM Dhaipai in a/c with Jodhan S.O. during the period 21-6-1995 to 30-9-1997 Mandeep Kaur and made entry in pass book. He also authenticated deposit entry by affixing date stamp in pass book on 30-9-1997 in RD a/c No. 400355 in the name of Miss Mandeep Kaur standing in the books, but he did not account for this amount in B.O. account i.e. in the Govt. account tax and used the same allegedly for his personal affairs.
- (2) That during the period 21-6-1995 to 30-9-1997 while working as EDBPM Dhaipai EDEO in a/c with Jodhan S.O., the said Shri Nachhattar Singh allegedly accepted Rs. 200 on 12-4-1997 from Smt. Joginder Kaur for RD account No. 400443 and made entry in Pass Book, he also authenticated deposit entry by affixing date stamp in pass book on 12-4-1997 in RD a/c he did not account for this amount in B.O account i.e. in the Govt. accounts and used the same allegedly for his personal affairs.
- (3) That the said Shri Nachhattar Singh while working as EDBPM Dhaipai in a/c with Jodhan S.O. during the period 6-5-1996 to 29-11-1997 had alleged by accepted an amount of Rs. 1800 from Smt. Joginder Kaur for RD deposits in RD account No. 400443 on different dates and made entries in pass book, he also authenticated deposits entries by affixing date stamps in the pass book, but amount of the deposits were taken into Govt. accounts later on instead of actual date of deposit :—

RD a/c No.	Date of actual Deposit in pass book	Amount of deposit	Amount taken into Govt. accounts
(1)	(2)	(3)	(4)
400443	06-05-1996	200	
	05-06-1996	200	
	08-07-1996	200	
	08-08-1996	200	
	11-09-1996	200	
	11-10-1996	200	1260 [30-10-1996]

(1)	(2)	(3)	(4)
30-11-1996	200	404	[31-12-1996]
31-12-1996	200		
29-11-1997	200	100	[28-01-1998]
		100	[18-02-1998]

(4) That the said Shri Nachhattar Singh while working as EDBPM Dhaipai in a/c with Jodhan S.O. during the period 18-1-1995 to 20-1-1998 allegedly accepted Rs. 1000 from Smt. Kulwant Kaur W/o Shri Pal Singh depositor of SB a/c No. 5101921 in Dec. 1995 as per statement of Smt. Kulwant Kaur dated 5-2-1999 and his statement dated 3-2-1999. He made entry of Rs. 500 in the pass book and authenticated this deposit by affixing date stamp in the pass book dated 3-12-1995 and with his signatures. But amount of this deposit was not credited into Govt. accounts and misappropriated by the said Shri Nachhattar Singh. Secondly to cheat the depositor, he showed a withdrawal of Rs. 1000 in SB pass book no. 5101921 or 20-1-1998 but actually this amount was neither paid to the depositor nor withdrawn from Govt. accounts. He authenticated this withdrawal of entry by affixing date stamp dated 20-1-1998 and with his signatures in the pass book. As per statement of depositor dated 5-2-1999 and statement of BPM dated 3-2-1999, he misappropriated Rs. 1000 from the SB a/c No. 510921.

On perusal of the proceedings of the enquiry, it is evidently clear that opportunity for replying the charge sheet was afforded to the workman. He was present before the enquiry officer and all possible opportunity for hearing was afforded to him. On page No. 6 of the enquiry report and the relevant enquiry proceedings it is specifically mentioned that workman has replied the charge sheet. He was afforded the opportunity to engage his defence representative and Shri N.H. Singh was appointed as defence representative. On 20-10-1999 and 21-10-1999 the workman has perused all the documents which were filed and relied upon by the management during the enquiry proceedings. He has cross-examined all the witnesses on different dates. He was also afforded the opportunity for defence evidence on 22-11-1999. He availed that opportunity and as more as two defence witnesses were recorded. Opportunity for written briefs was also afforded by the enquiry officer.

From disciplinary proceedings, it is also clear that he was supplied the copy of the enquiry report and afforded

the opportunity of personal hearing. Thus, all possible opportunity for hearing was afforded to the workman and there has been no violation of the principle of natural justice while conducting the enquiry proceedings and the disciplinary proceedings.

The workman has also challenged the decision making of the enquiry officer on the ground that complainant Smt. Kulwant Kaur has stated before the enquiry officer that she has not given any amount to Shri Nachhattar Singh. On the basis of the statement of the complainant refusing to give any amount to Nachhattar Singh, the workman has stated that charge against him has not been proved properly. Now the question arise whether the quasi judicial conscious of the enquiry officer and this Tribunal should be guided by the fact that complainant has refused to pay any amount to the workman Nachhattar Singh. In my view just on the basis of the statement of the complainant no decision should be taken by any quasi judicial authority. Decision on proving the charges has to be taken on the basis of the perusal of entire evidence. If the other material on the record minus that part of the statement of the complainant refusing to pay any amount to the workman is sufficient to prove the charge, this part of the statement of complainant can be ignored. The documentary evidence in this file is sufficient to prove that some embezzlement was committed by any person. The other substantial evidence proved that workman was in the position to do the Act of the embezzlement. The cumulative affect of the entire evidence is that intention of the workman is also shown. The workman was on the seat from which the act of misconduct was committed. The workman was in a position to commit the same and that act said to be misconduct was committed when the workman was working on that seat. The entire documentary evidence and facts and circumstances of the case clearly indicates that it is the workman which has committed the misconduct and not otherwise. Under such circumstances, the evidence of the complainant that he has not given any amount to the workman can be ignored and the enquiry officer has rightly ignored it. On the basis of the; above, I am of the view that there has been no perversity in decision making of the enquiry officer and the enquiry officer has rightly held all the charges proved against the workman.

The disciplinary authority after affording him the opportunity for hearing has awarded the punishment of removal/dismissal of the workman from the services which is in my view proportionate to the committed misconduct. Accordingly, the reference is disposed of. The workman is not entitled for any relief. Let Central Government be approached for publication of award, and thereafter, file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2010

का.आ. 3145.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डिविजनल इंजीनियर टेलीग्राफ्स (आटो इन्स्टालेशन) भोपाल के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 105/94) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-11-2010 को प्राप्त हुआ था।

[सं. एल-40012/58/1993-आईआर(डीयू)]

जोहन टोपनो, अवर सचिव

New Delhi, the 29th November, 2010

S.O. 3145.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 105/94) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Divisional Engineer Telegraphs (Auto Installation), Bhopal and their workman, which was received by the Central Government on 28-11-2010.

[No.L-40012/58/1993-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/105/94

Presiding Officer : SHRI MOHD. SHAKIR HASAN

Shri Manoj Kumar,
S/o Shri Avadh Bihari,
Qr. No.26, P & T Colony,
Dussehra Maidan,
Ujjain (MP)

...Workman/Union

Versus

Divisional Engineer (Telephones),
II-A, Telecom, 1st Floor,
Zee TV Complex,
T. T. Nagar,
Bhopal

...Management

AWARD

Passed on this 9th day of November, 2010

1. The Government of India, Ministry of Labour vide its Notification No. L -40012/58/93-IR (DU) dated 25-7-94 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of Divisional Engineer, Telegraphs (Auto Installation), Bhopal in terminating the services of Shri Manoj Kumar S/o Shri Avadh Bihari Casual Labour w.e.f. 1-4-1990 is proper, legal and justified ? If not, to what relief the workman is entitled for ?”

2. The case of the workman, in short, is that the workman was engaged as unskilled labour from 1-1-86 and worked continuously till 31-3-90 when he was stopped by oral order from work w.e.f 1-4-90 with a reason that his service was no longer required. It is stated that service was being provided to new workman, as such he demanded written order of termination but the same was denied. It is alleged that he was terminated without one month notice and without retrenchment compensation as provided under Section 25-F of the Industrial Disputes Act, 1947 (in short I. D. Act, 1947.) It is stated that the management was engaging new workers but on demand it was refused to him and the provision of Section 25 H of the I.D. Act, 1947 was violated. On these grounds, it is submitted that the management be directed to reinstate the workman from the date of termination with payment of full back wages.

3. The management appeared and filed Written Statement to contest the reference. The case of the management, inter alia, is that the workman was engaged as casual labour on exigency of work. The period of his service was maintained in the Muster Roll. The workman had not completed an year of continuous service as required under Section 25 B of the I.D. Act and, therefore, he was not entitled to any relief under the provision of Section 25F of the I.D. Act. It is submitted that in the light of above grounds the reference be decided in favour of the management.

4. On the pleadings of the parties, the following issues are settled—

I. Whether the workman was in continuous service for a period of one year during a period of twelve calendar months preceding the date of reference under the provision of Section 25 B of the I.D. Act.

II. Whether the action of the management in terminating the service of the workman w.e.f. 1-4-90 is proper legal and justified ?

III. To what relief the workman is entitled ?

5. Issue No. I

According to the workman, he was terminated w.e.f 1-4-90. There is no document on the record to show that preceding twelve months from 31-3-90, the workman worked 240 days or more. The workman has filed Muster Roll self card but the same is not proved and is not admitted in evidence. The said card shows that his photograph is not certified. However the said card shows that there is no entry since 31-10-88. This card also does not prove that preceding twelve months from 31-3-90, he was in the employment of the management. Moreover from the entry dated 1-6-88 to 31-10-88 there is no countersign.

This card is not reliable and is inadmissible. It does not establish the claim of the workman.

6. The workman Shri Manoj Kumar is examined in the case. He has stated in his evidence that he got appointment letter but no such appointment letter is filed. He has further stated that he had not filed the case. He has stated that 12 months from the date of termination he worked 300 days. The Muster Roll Self Card contradicts that he was in employment till 31-3-90 and also twelve months before such alleged termination. His evidence does not corroborate with Muster Roll Self Card that he had worked 12 months preceding the date with reference.

7. On the other hand, the management has also examined one witness in the case. Shri M. U. Nagori is SDE (SWI), Ujjain. He has supported the case of the management and has stated that he was engaged as casual worker for digging and installation of new line. He has also stated that he had never worked against vacancy and continuously for 240 days. Thus it is clear that there is no any violation of the provision of the I.D. Act. This issue is accordingly answered.

8. Issue Nos. II & III

On the basis of discussion made above, it is clear that the management was justified in terminating the service of the workman who was casual labour. Thus, the workman is not entitled to any relief. Accordingly, the reference is answered.

9. In the result, the award is passed without any order to costs.

10. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2010

का.आ. 3146.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय विमानपत्तन प्राधिकरण के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, ईरनाकुलम के पंचाट (संदर्भ संख्या 126/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-11-2010 को प्राप्त हुआ था।

[सं. एल-11011/58/2004-आईआर(एम)]

जोहन टोपनो, अवर सचिव

New Delhi, the 29th November, 2010

S.O. 3146.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.126/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Ernakulam now as shown in the Annexure in the

Industrial Dispute between the employers in relation to the management of Air Port Authority of India and their workman, which was received by the Central Government on 29-11-2010.

[No. L-11011/58/2004-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present: Shri P. L. NORBERT, B.A., LL.B.,
Presiding Officer

(Monday the 4th day of October, 2010/12th Ashinam 1932)

I. D. No. 126/2006

(I. D. 48/2004 of Industrial Tribunal, Kollam)

Union :

The Secretary,
Thiruvananthapuram Airport Electrical,
Engineering Workers Centre,
J.P. Bhavan, Palayam,
Thiruvananthapuram, Kerala,
Trivandrum.

By Adv. Sri. Paulson C. Varghese.

Managements :

1. M/s. Puliyadyil Service Centre,
Ambujavilasom Road,
Near GPO,
Trivandrum - 695 001.

2. M/s. Sree Ranga Electricals,
Chennai.

3. M/s Ajantha Electricals and P. A. Equipments,
Puthenchanthai,
M. G Road,
Thiruvananthapuram - 695 001

4. M/s R. K. Electricals,
Chackal, Kerala,
Thiruvananthapuram.

5. The Airport Director,
Airports Authority of India,
International Airports Division,
Thiruvananthapuram - 695 008

By Adv. Sri V. Santharam.

This case coming up for hearing on 27-9-2010, this Tribunal-cum-Labour Court on 4-10-2010 passed the following :

AWARD

This is a reference made under Section 10(1)(d) of Industrial Disputes Act. The reference is :

“Whether the demand of Thiruvananthapuram Airport Electrical Engineering Workers Centre (HMS),

J. P. Bhavan, Palayam Thiruvananthapuram Kerala for appointing the 16 workers as per Annexure enclosed who claimed to have worked with the contractors namely M/s. Puliyadiyl Service Centre, M/s. Sree Ranga Electricals, M/s. R. K. Electricals, M/s. Ajantha Electricals and P. A. Equipments in the services of the Airport Authority of India, Trivandrum Airport, Kerala is justified? If so, to what relief the concerned workmen are entitled?"

2. The facts of the case in brief are as follows:—

The workers' union has espoused the cause of 16 workers in the electrical section of Air Port Authority of India, Thiruvananthapuram Air Port. It is contended by the union that the 16 workers have been working from May 1990 to April 1997 in Airport Authority of India as Generator Operator, A. C. Plant Operator, Electrician etc. They have passed SSLC, 2 year ITI course in various trades including electrical and obtained Wireman Licence issued by Kerala State Electrical Licensing Board. They were discharging duties perennial in nature and were working continuously. The alleged contract is not genuine and it is only a camouflage to deny benefits to labourers. The workers were supervised and controlled by officers of Airport Authority of India. The disciplinary powers were vested with Airport Authority. Though the contractors changed periodically the workers remained the same. In 1997 when the service of 16 workers were terminated by Airport Authority it was challenged in O. P. before Hon'ble High Court and O. P. was disposed of observing that an industrial dispute can be raised before the appropriate forum. The union contends that the workers are entitled to be reinstated appointed and regularised in service by Airport Authority.

3. Managements 1 to 4 are contractors. They have not contested. The 5th management is Airport Authority of India. They alone filed written statement. It is contended that the dispute is not maintainable as employment of contract labour in the electrical section of Trivandrum Airport is not prohibited or abolished under Section 10 of Contract Labour (Regulation and Abolition) Act, 1970. There is neither appointment nor termination of service by the management. The workers were employed by the contractors. The contract work is not perennial in nature. It is for the first time that the union is raising a contention that the contract is sham. The workers were supervised and controlled by the contractors and not by Airport Authority. The disciplinary action was also vested with contractors. The workers are not entitled either for reinstatement or for absorption.

4. In the light of the above pleadings the following points arise for consideration :

1. Is the dispute maintainable ?
2. Is the contract sham ?

3. To what reliefs the workers are entitled ?

5. The evidence consists of the oral testimony of WW1 and documentary evidence of Exts. W1 to W4 on the side of the Union and MW1 and Exts.M1 to M-13 on the side of the management.

6. **Point No.1:** It is the contention of the 5th management that employment of contract labour in the electrical section of Trivandrum Airport is not prohibited or abolished under Section 10 of Contract Labour (Regulation and Abolition) Act and hence the union cannot challenge the contract as sham in view of the decision of Hon'ble Supreme Court in Steel Authority of India v. National Union Water Front Workers (2001) 7 SCC 1 = 2001-11-LLJ 1087. The contention is not correct. The Hon'ble Supreme Court has not observed that in all cases notification under Section 10 (1) of CLRA Act prohibiting employment of contract labour is essential in order to consider the nature of the contract. In para 19 (5) it is observed that whether employment of contract labour is abolished or not the industrial adjudicator will have to consider the question as to the nature of the contract as genuine or sham. If the contract is found to be not genuine then the employees have to be treated as employees of the principal employer who will have to regularise them in service subject to conditions as may be specified by the principal employer in the light of sub para 6 of the judgment. Sub para 6 deals with genuine contracts. It is observed that in case of genuine contracts, if contract labour is abolished by notification under Section 10 (1) of CLRA Act by appropriate government and if the principal employer intends to employ regular workmen, preference shall be given to the erstwhile contract labour, if necessary by relaxing conditions with regard to age, qualifications etc. Therefore unlike contended by the 5th management abolition of the contract labour is not essential in all cases, but only in genuine contracts, for the purpose of claiming absorption. The contention of the union is that the contract is not genuine (para 5 of claim statement). In view of this contention of the union, even if contract labour is not abolished as per CLRA Act the claim for absorption is maintainable.

7. **Point No. 2:—** Exts. M1 to M4 are contract agreements for the year 1992, 1993, 1994 and 1996. According to the union these are sham contracts with a view to deny benefits to the workers. In fact the workers were treated as employees of the 5th management. They were controlled, supervised and paid by the 5th management. The disciplinary authority was also the 5th management. The electrical operation and maintenance in the electrical section of Trivandrum Airport is essential for the functioning of Airport and the work is perennial in nature.

8. It is relevant in this connection to refer to the decision of Hon'ble Supreme Court wherein the test to

know the nature of the contract is laid down. In Nilgiri Co-operative Marketing Society Ltd. v. State of T. N. and others (2004) 3 SCC 514 it is held:

“The control test and the organisation test, therefore are not the only factors which can be said to be decisive. With a view to elicit the answer, the court is required to consider several factors which would have a bearing on the result: (a) who is the appointing authority; (b) who is the paymaster; (c) who can dismiss; (d) how long alternative service lasts; (e) the extent of control and supervision; (f) the nature of the job e.g. whether it is professional or skilled work; (g) nature of establishment; (h) the right to reject”.

9. There is no dispute that the 16 workers in this case were working in electrical section of Trivandrum Airport. The question is whether they were working as contract labour and if so, whether the contract was sham and the 5th management was the real employer. Para 5 of the claim statement contains the plea with regard to sham contract. It is argued by the learned counsel for the 5th management that it is for the first time that such a contention is taken up in the claim statement. In writ petitions filed by the union and several individual workers in 2001 did not contain such a pleading. However the 5th management has not produced a copy of the OP to verify whether the union had a case that the contract was sham. But in the light of the observation of Hon'ble High Court in the judgment (Ext.W4) that an industrial dispute can be raised by the petitioners in the appropriate forum it can be presumed that the union had questioned the genuineness of the contract in OP also.

10. No appointment order or termination order is produced by the union. It is admitted by WW1, one of the workers that the 16 workers were engaged by contractors 1 to 4 and that there was contract between managements 1 to 4 and 5th management. Naturally there cannot be any appointment order by the 5th management. In para 8 of the claim statement it is averred that the Assistant Executive Engineer of Airport Authority had directed the workers on 15-4-1997 not to report for duty from 16-4-1997 onwards. That means there cannot be any written termination order either. Of course the 5th management does not admit termination of service by them. Their contention is that these workers were working under different contractors during different periods and there is neither appointment nor termination by the 5th management. MW1 the Assistant General Manager (Engineering) in charge of the electrical division stated that the work of contract employees would have come to an end when period of contract was over. There can be no doubt that operation and maintenance work in the electrical section of the Airport is essential for the functioning of the Airport and therefore the work is perennial in nature. MW1 has also admitted in the cross

examination (page 5) that the nature of the work is perennial. According to WW1 the workers were supervised by Junior Engineers and Assistant Engineers of Airport Authority and not by contractors. MW1 does not have a consistent version regarding supervision. She said first in the cross examination that the contractors had supervisors and the 5th management's officers used to monitor the work. Subsequently she stated that the work was supervised by Junior Engineer. There is no clarification regarding this aspect in the re-examination. Regarding payments of remuneration WW1 says that the workers were paid by the contractors. Of course MW1 has the same version that the payment was made by the contractors. In view of the admission of WW1 regarding payments no records are necessary to find out who was the pay master. No vouchers or records regarding payments are called for by the union either. With regard to disciplinary powers WW1 stated that both contractor and Airport Authority have the powers to take disciplinary action. But no instances are pointed out by WW1. According to the management the power to take disciplinary action is with the contractor.

11. It is the contention of the learned counsel for the union that agreements Exts. M1 to M4 do not cover the entire period from 1991 to 1997 during which the workers were engaged. They relate to the period 1992, 1993, 1994 and 1996 only. No contract for the period 1991, 1995 and 1997 are produced. Therefore it is contended that at least during the intervening periods the workers must have been engaged directly by the 5th management and not through contractors. If the argument of the learned counsel is accepted and if the workers were engaged directly by the 5th management, then definitely the payment must have been made by the 5th management to them directly and not through contractors. But WW1 has no such case. He admits that all payments were made by contractors. That apart if during the interregnum if the principal employer made payments to the workers directly it should have been as per either wage slips or vouchers or some other mode. But none of such records are called for by the union. It was submitted by the learned counsel for the management that all agreements relating to the entire period are produced in Ext. M10. But it is not correct. The agreements produced in that case are in respect of the period from 1991 to 1995 only. Even then the agreement for the period 1997 is not before court. However the absence of contractual documents for certain intermittent periods will not by itself give rise to a presumption that there is no contract or the contract is sham. From the circumstances it has to be presumed that the workers would have continued as contract workers on the same terms and conditions of previous contract during the interregnum.

12. The management denies employer-employee relationship. The evidence go to show that the 16 workers were engaged by contractors and hence the 5th

management is not the appointing authority. Since it is admitted by WW1 that payment was made by contractors the 5th management cannot be the pay master. As the appointing authority is the contractor normally the power to take disciplinary action is also with the same authority unless it is shown to be otherwise. Regarding supervision and control there is the evidence of WW1 alone. One of the officers who supervised could have been summoned. MW1 has no consistent version with regard to supervision. She said first that monitoring alone was done by officers of 5th management. Thereafter her version was that junior engineer was supervising the workers. Admittedly there is no termination order. The only aspect that is proved is the perennial nature of work. The remaining facets of a sham contract are not proved by the union.

13. The learned counsel for the union submits that passes issued by 5th management to the workers would prima facie show that they are the employees of 5th management. Ext.W1 series are temporary entry permits issued to the workers and W2 series are temporary passes issued to the workers. Of course they are issued by Airport Authority. But the passes are given to the workers for the purpose of entering into the premises of the Airport which is a security area and none can enter, whether for work or for any other purpose without passes. Even for contract workers passes are essential. Therefore the very fact that passes were issued to the 16 workers during different periods will not support their contention that they are employees of 5th management. Ext.W3 series are certificates issued by contractors. They merely show that during the period mentioned in the certificates these workers were engaged by different contractors and they bear good character and conduct. Exts.W3(b), 3(c) and 3(d) certificates even show that the workers were relieved from their job for want of vacancies. Therefore Ext.W3 series certificates will not come to the help of the workers. On the other hand they support more the case of the management that they were engaged by the contractors and not by 5th management.

14. Ext.W4 is a common judgment in OP 36713/2001 and several other Ops. filed by union and individual workers against Airport Authority, its officers, Assistant Labour Commissioner and Union of India for the purpose of a direction.

1. to absorb the workers by Airport Authority.
2. to issue notification under Section 10 CLRA Act abolishing employment of contract labour in Electrical Section of Airport, Trivandrum by Appropriate government.
3. to fix wage rates in accordance with CLRA Central Rules.
4. to reinstate the workers who were terminated from service.

In para 6 of Ext.W4 judgment it is observed by Hon'ble High Court that the Deputy Chief Labour Commissioner (C) is the competent authority for fixing wage rates. He has after considering the pleading, evidence and hearing union, contractors and Airport Authority, passed Ext.P-14 orders as prayed for by the union. It is further observed in para 7 that the establishment has engaged more than 20 contract labour and therefore S.1 (4) of CLRA Act would apply to the establishment and the order of Deputy Chief Labour Commissioner is in accordance with law and has the jurisdiction to pass such an order (para 8). With respect to absorption of the workers it is held that the aggrieved parties can approach the industrial adjudicator by raising an industrial dispute. Thus on one hand the union and the workers would claim benefits of CLRA Act and Rules on the ground that the workers are contract labour and on the other hand they would also claim absorption on the premise that there is no genuine contract and they are really the employees of the principal employer. Thus there is no consistent for the union.

15. As per the representation of the union and as per the direction of High Court in Ext.M5 judgment the Regional Director of Employees' State Insurance Corporation had passed Ext. M7 order holding that the establishment of Airport is not covered by ESI Act, but the contractor's establishments i.e. M/s. Ajantha Electricals, P. A. Equipments and M/s. Perkins are covered by ESI Act. Therefore the contractors were directed to comply with the provisions of ESI Act. As per the representation of the union and Ext. M6 judgment of the High Court the Assistant Provident Fund Commissioner, Trivandrum passed Ext. M8 order regarding liability to pay PF contributions. It was found by the Commissioner (page 13) that 32 contract workers were engaged by M/s. Ajantha Electricals, P. A. Equipments and another as per contracts between A. A. I and contractors. In page 20 it is found that M/s. Ajantha Electricals and P. A. Equipments and M/s. Perkins were Engineering contractors and they were directed to remit PF dues in respect of the workers for the periods 1996 to 99. Thus Exts. M 7 and M 8 also go against the contention of the union that the contract is sham.

16. There was a government notification under Section 10 of CLRA Act regarding employment of contract labour in the Airport, Trivandrum. It was challenged before Delhi High Court in Writ Petition. By Ext. M-11 judgment the notification was quashed. It was challenged by the 5th management in Writ appeal. By Ext. M-12 judgment the order of single bench was confirmed and the appeal was dismissed. Therefore there is no notification abolishing contract labour in Trivandrum Airport.

17. It was submitted by the learned counsel for the union that the 16 workers were working for a long time from 1991 to 1997 continuously in a work that is perennial in

nature and it is an unfair labour practice to engage them long without absorbing them. Item 10 Part-1 of 5th schedule of ID Act referred by the learned counsel for the union is with regard to engagement of workmen as badlis, casuals or temporaries for a long time. But the 16 workers are only contract workers and they are not employees of the 5th management and contract workers do not fall within the definition of workmen under Section 2 (s) of ID Act and therefore they do not come within the meaning of item No.10, part-1 of 5th schedule of ID Act.

In the light of the reasons stated above, I find that the contract is genuine and the workers are not employees of 5th management but of the contractors.

18. Point No. 3:— In view of the above findings it follows that there is no termination of service by the 5th management. The service of contract workers normally come to an end when the contract period comes to an end. It cannot be termed as termination or retrenchment. Therefore the workers are not entitled for reinstatement, much less for absorption by the 5th management. They are also not entitled for any other relief.

In the result an award is passed finding that the demand of the union, for appointment of 16 workers in the service of Airport Authority of India, Trivandrum Airport is not legal or justified and they are not entitled for any relief.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant transcribed and typed by her corrected and passed by me on this the 4th day of October, 2010.

P. L. NORBERT, Presiding Officer

APPENDIX

Witness for the Unions

WW1- B. C. Fen Raj, Worker

Witness for the Managements

MW1- J. Sreekumari, Assistant General Manager-Engg. (E), AAI, Trivandrum.

Exhibits for the Unions

- W1series - Temporary Entry Permits issued by Airport Authority of India.
- W2 series. - Temporary Passes issued by Airport Authority of India.
- W3 series. - Certificates issued by contractors.
- W4 series. - Judgment in OP No. 36713/2001 of Hon'ble High Court of Kerala.

Exhibits for the Managements

- M1 - Agreement dt. 25-1-1996 between AAI and M/s. Ajantha Electricals and P. A. Equipments.
- M2 - Agreement dt. 26-6-1992 between AAI and M/s. R. K. Electricals.
- M3 - Agreement dt. 8-10-1993 between AAI and M/s. Puliyadiyil Service Centre.
- M4 - Agreement dt. 4-11-1994 between AAI and M/s. Puliyadiyil Service Centre.
- M5 - Judgment in OP No. 9015/1999 of Hon'ble High Court, Kerala.
- M6 - Judgment in OP No. 9123/1999 of Hon'ble High Court, Kerala.
- M7 - Order of Regional Director of Employees State Insurance Corporation dt. 2-7-1999.
- M8 - Proceedings of Assistant Provident Fund Commissioner Dt. 30-11-1999.
- M9 - Award in ID 127 and 149/2006 of CGIT-cum-Labour Court, Ernakulam.
- M10 - Award in ID 151/2006 of CGIT-cum-Labour Court, Ernakulam.
- M11 - Order of Delhi High Court in CWP 6540/1999 dt. 26-10-1999.
- M12 - Order of Delhi High Court in LPA 530/2002 dt. 8-4-2002.
- M13 - Record of proceedings of Hon'ble Supreme Court dt. 31-1-2003.

नई दिल्ली, 29 नवम्बर, 2010

का.आ. 3147.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पोस्ट्स/इंस्पेक्टर, मण्डी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, चंडीगढ़ के पंचाट (संदर्भ संख्या 11/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-11-2010 को प्राप्त हुआ था।

[सं. एल-40012/27/2008-आईआर(डीयू)]

जोहन टोपनो, अवर सचिव

New Delhi, the 29th November, 2010

S.O. 3147.—In Pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.11/2008) of the Central Government Industrial Tribunal/ Labour Court-1, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Posts/Inspector, Mandi

and their workmen, which was received by the Central Government on 28-11-2010.

[No. L-40012/27/2008-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case ID No. FI/2008

Shri Megh Singh S/o Shri Munshi Ram, Vill.-Motia,
Tehsil & Distt.-Mandi, Mandi (HP)

...Applicant

Versus

The Inspector, Post Office, D/o Post, Mand North Sub-
Division, Mandi (HP)

...Respondent

APPEARANCES:

For the Workman : Shri N. K. Nagar.

For the Management : Shri Santosh Kumar.

AWARD

Passed on :- 2-11-2010

Government of India vide notification No. L-40012/27/2008-IR (DU), Dated 16-2-2009 by exercising its powers under Section 10 of the Industrial Disputes Act (the Act in short) has referred the following Industrial dispute for adjudication to this Tribunal:—

“Whether the action of the management of Department of Posts/Inspector, Post Offices, Mandi in terminating the services of their workman Shri Megh Singh w.e.f. 10-5-2005 is legal and justified? If not, to what relief the workman is entitled to?”

After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. The case of the workman in nut shell is that without conducting the proper and fair enquiry his services were terminated by the management of the Post Office, Mandi. He was not provided with the documents which were subject matter of the enquiry. Proper opportunity for adducing evidence in defence was not given to him. The enquiry officer has wrongly and illegally relied upon his confessional statement without any proof. Shri Yaspal Singh, Inspector who has conducted the preliminary enquiry was not examined by the enquiry officer and the enquiry officer has wrongly held the charges proved against him. The punishment awarded is not proportionate to the committed misconduct.

The management of the bank appeared and contested the claim of the workman by filing written statement. It is denied that proper and fair opportunity of being heard was not afforded to the workman. It is also contended by the management that Postal Department does not come within the preview of the term ‘industry’ as defined in the Industrial Disputes Act. It is further more contended by the management of the Posts that the workman was charge-sheeted on two accounts namely:—

- (1) On withdrawing the amount of Rs. 1,000 for his own benefit from the saving bank account No. 240283 opened and maintained by Shri Khaniya Ram.
- (2) The second charge against the workman was that he has illegally withdrawn Rs. 2000 each on two occasions from the saving bank account 241106 opened and maintained by Smt. Banti Devi and has used the amount for his own benefit without any authority.

With regard to charges, it is contended by the management that on both of the charges adequate and all possible opportunity of being heard was afforded to the workman. The charges were well proved and punishment awarded by the disciplinary authority after affording the opportunity of personal hearing is proportionate to the committed misconduct.

As per the provisions of the Industrial Disputes Act, parties were heard on preliminary issue on fairness of enquiry on 24-4-2010. After hearing on the issue of fairness of enquiry on 24-4-2010, vide order dated 24-4-2010 enquiry conducted by the enquiry officer was held to be proper, fair and in accordance with the principle of natural justice for the reasons shown in the order dated 24-4-2010. Both of the parties were further afforded the opportunity for adducing evidence on perversity, if any, in decision making of enquiry officer and on quantum of punishment awarded by the disciplinary authority. From order dated 10-8-2010, it is evidently clear that both of the parties denied to avail this opportunity for adducing evidence on perversity, if any, in decision making of the enquiry officer and on quantum of punishment awarded by the disciplinary authority. Accordingly both of the parties were heard at length and file was reserve for award.

As stated earlier, this Tribunal has already decided the issue on fairness of enquiry in positive, meaning thereby, it has been held by this Tribunal that enquiry was conducted in a fair, proper and reasonable manner. On decision making of the enquiry officer and the quantum of punishment no oral evidence was adduced by the parties

and it was contended that documents on record be perused while deciding the above issues. I have gone through the proceedings of the enquiry, enquiry report, order of the disciplinary authority and order of the appellate authority. As stated earlier that the workman was charge-sheeted for fraudulently withdrawing an amount of Rs. 5,000 in three transactions from two saving bank accounts opened and maintained by different persons. The statement of both of the persons who have opened the account were recorded by the enquiry officer and it was proved before the enquiry officer that they have not withdrawn the amount in dispute. Rs.1,000 was withdrawn on 17-7-2003 from the saving bank account by Khaniya Ram. Shri Khaniya Ram has proved before the enquiry officer that he has not withdrawn the amount. The workman was in position to get the amount by fraudulent means. On the date in question he was working on the same seat so there was an opportunity to him to do the work. Moreover the other witness has also proved that workman was in the position and opportunity was there to do the act of misconduct. Likewise, on two occasions namely 18-7-2003 and 25-7-2003 Rs. 2,000 which were withdrawn from the saving bank of one Smt. Banti Devi by fraudulent thumb impression. The statement of Banti Devi was recorded and the effect of the statement of Smt. Banti Devi and other employees of the bank make it clear that workman was having the opportunity to do the work. The cumulative effect of the entire enquiry proceeding recorded by enquiry officer and the documentary evidence is that chain of circumstances indicates and confirmed that it is the workman who had done the work amounting to misconduct. Thus, there has been no perversity in decision making of the enquiry officer.

The act of withdrawing the amount from accounts of customers accounts is the major misconduct and as per the nature of the committed misconduct the punishment of termination from the services in my view is proportionate to the committed misconduct. So there is no perversity in awarding the punishment to the workman. There is no force in the claim of the workman and he is not entitled for any relief. The reference is accordingly answered. Let Central Government be approached for publication of Award, and thereafter, file be consigned to record room.

Chandigarh.

Dated: 2-11-2010

G. K. SHARMA, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2010

का.आ. 3148.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट

बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट (संदर्भ संख्या 247/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-11-2010 को प्राप्त हुआ था।

[सं. एल-12012/293/99-आईआर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 29th November, 2010

S.O. 3148.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.247/99) of the Central Government Industrial Tribunal-cum-Labour Court-1, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of State Bank of India and their workmen, received by the Central Government on 29-11-2010.

[No. L-12012/293/99-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case ID No. 247/99

Shri Om Prakash S/o Shri Naib Chand, R/o VPO Tagood
Tehsil Kishtwar, District - Doda (J & K)

... Applicant

Versus

(1) The Assistant General Manager, State Bank of India,
122-A/D, Ghandinagar (J & K), Jammu -180004.

(1) The Chief General Manager, State Bank of India, Local
Head Office, Sector -17-B, Chandigarh -160001.

... Respondents

APPEARANCES:

For the Workman : Shri Amit Sharma.

For the Management : Shri S. K. Gupta.

AWARD

Passed on :- 4-11-2010

Government of India vide notification No. L -12012/293/99-IR (B-I), Dated 15-11-99 by exercising its powers under Section 10 of the Industrial Disputes Act (the Act in short) has referred the following Industrial dispute for adjudication to this Tribunal :—

“Whether the action of the management of S. B. I., represented by A.G.M., S.B.I., Ghandinagar, Jammun (J & K) and Chief General Manager, State Bank of India, Chandigarh, in not including the name of Shri Om Prakash, Daily Rated workman in the list of

eligible candidates for appointment as class IV Staff and denying appointment as per settlement dated 17-11-1997 and subsequently terminating his services w.e.f. 28-10-1998 is just and legal. If not, to what relief the workman is entitled to?"

After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. After joining this Tribunal, a mechanism was adopted for enhancing timely justice. As per the mechanism this industrial dispute was listed for settlement through conciliation mechanism. A settlement took place between the management and the respondent bank which was published in the official gazette of the Central Government on 5-9-2008. The management of the respondent bank moved an application for recalling the award dated 5-9-2008 published in the gazette of the Central Government. The application was dismissed by this Tribunal on 6-3-2009. The management of the respondent bank preferred a writ petition before Hon'ble the High Court, Chandigarh challenging the award passed on settlement dated 5-9-2008 and order dated 6-3-2009. The writ petition was disposed off by Hon'ble the High Court vide order dated 27-7-2010. This Tribunal was directed by Hon'ble the High Court to dispose off the reference afresh after affording the opportunity for adducing evidence to both of the parties. Certain conditions were imposed by Hon'ble the High Court. The respondent bank complied with the conditions, accordingly, this Tribunal has afforded all possible opportunities for adducing evidence and hearing to both of the parties.

The evidence of the parties was recorded. Documentary evidence was also preferred to be filed by both of the parties. I have heard the parties at length.

The cumulative effect of the evidence of both of the parties is that workman has worked with the management of the respondent bank in two capacities:

- (1) In the capacity of a canteen boy run by the Local Implementation Committee (LIC)
- (2) As a casual worker and the payment of wages were made good from petty cash.

The reference referred by the Central Government is not only regarding the nature of the termination but it is also regarding the denial of right of the workman for his appointment as class -IV as per settlement dated 17-11-1997. No settlement dated 17-11-1997 is on record. The workman has not mentioned even a single sentence about the settlement in his statement of claim. In his evidence he has only mentioned that he does not know the name of the parties in settlement dated 17-11-1997. He has shown his ignorance whether any settlement dated 17-11-1997 existed.

On perusal of the evidence on record, it is evidently clear that in the year 1997 certain vacancies of class IV

employee were filled in by the management of the respondent bank. The workman was one of the candidate and appeared in test as per rules. He has admitted in his evidence that initially his name was not sponsored by employment exchange in the year 1990 but his name was sponsored in the year 1997 when he applied for the post.

As stated earlier, the reference referred by the Central Government is not only relating to the benefit of settlement dated 17-11-1997 but is also relating to the illegality of the termination order, if any, passed by the management of the respondent bank. It is not disputed that workman was working in two capacities namely in the capacity of a casual worker for which he was directly paid by the management of respondent bank from petty cash and in the capacity of a canteen boy paid by Local Implementation Committee (LIC).

It is settled law of service jurisprudence that a casual worker or a daily waged worker has no right to post. The procedure and rules relating to the public appointment cannot be compromised. A daily waged worker has the right to continue in services till work exists. If the work is over or a permanent employees have been appointed as per rules, he has no right even to continue the work.

The priority is to be given for regular appointment as per the rules. If the regular appointment as per the rules is made, a daily waged worker cannot claim to be appointed just on the ground that he has worked for a long period as a casual worker/daily waged worker. As stated earlier a daily waged worker or a casual worker has no right to post.

In the year 1997, the bank appointed more than 100 class-IV employees. Opportunity was afforded to the workman. His name was sponsored by the employment exchange. He was not found fit for the post. Accordingly, his name was not included in the list of selected candidates. The virus of the selection procedure conducted by the management is not the subject matter of this reference. Thus, the reference is answered with the view that this Tribunal cannot directed the management to include the name of the workman in the list of the selected candidates as per the examination conducted in the year 1997 just on the ground that he has continuously worked for a long time as a casual worker. If it is considered it will open a new channel to the public appointment. As stated earlier, public appointments have to be regulated and made strictly as per the rules. The workman was given a chance to appear in the examination but he could not qualify. It is once again made clear that it is not the case of the absorption of the casual worker but it is the case where the regular appointment as per rules were made by the management of respondent bank. The workman was given opportunity but he could not qualify. Thus, he cannot claim

for inclusion of his name in the list of the selected candidates on the ground that he has worked for a long time with the management of the respondent bank as a casual worker.

It is true that after the appointment of all the class-IV employees he has further worked with the management bank and his services were terminated much after these appointments. This part whether his termination was illegal has also been referred by the Central Government. It means the legality of termination of the services of the workman on 28-10-1998 has to be considered by this Tribunal. The appointments were made on 17-11-1997 and workman continued to work as a daily waged worker up to 28-10-1998. Meaning thereby, the workman has worked almost a year as casual worker after making the regular appointments which shows that work for a casual worker was available even after the regular appointments.

The workman was working as casual worker as well as a canteen boy. The canteen boy has no employers and employee relationship with the management of the respondent bank but as a casual worker the workman has the employer and employee relationship with the management of the respondent bank. He was engaged on casual basis by the management of the bank. He was paid wages from the petty cash by the management of the bank. He was under the administrative control of the management of the respondent bank as a casual worker. Admittedly no notice one month wages in lieu of notice and retrenchment compensation was paid to the workman before terminating his services.

The management of the respondent bank has relied upon certain case laws which are as follows :

- (1) State Bank of India and others versus State Bank of India Canteen Employees Union.
- (2) Madhyamik Siksha Parishad versus Anil Kumar Mishra & others, AIR 1994 SC 1638,
- (3) Himanshu Kumar Vidyarthi & others versus State of Bihar & others, 1997 LIC 2075 S.C.,
- (4) G.M. Thanda Thermal Power Project versus Jai Prakash Srivastava and another, 2008 (1) SLR 670 SC.

I have gone through the case laws referred and relied upon by the management. In all the case laws the issue of regularization of the services of a daily waged worker has been dealt with, whereas the issue before this Tribunal is regarding the legality of the termination. It is also the settled law of service jurisprudence that services of a daily waged worker and casual worker are protected under the provisions of the Industrial Disputes Act. The Industrial Disputes Act does not bar the termination of a daily waged worker or a casual worker, but it regulates it. The termination of a casual worker or a daily waged worker

is regulated in the sense that if the services of the workman are no more required, his services have to be terminated as per the provisions laid down in the Industrial Disputes Act. The Industrial Disputes Act laid down the procedure that in case of non requirement of the services of a daily waged worker or a casual worker, he has to be given a month notice or paid one month wages in lieu of notice along with lawful terminal dues. If it is not done the termination will be illegal and void ab initio. The Industrial Disputes Act protects one more right of the casual worker and daily waged worker that in case of requirement of work the preference shall be given to the retrenchee. In this case the workman has stated that he has completed 240 days of work in the preceding year from the date of his termination and his services were terminated without notice or one month wages in lieu of notice and without payment of lawful terminal dues. By filing documents the workman has proved this contention that he has completed 240 days of work in the preceding year from the date of his termination as daily waged worker. His services were terminated without notice, one month wages in lieu of notice and without payment of retrenchment compensation which makes his termination illegal and void ab initio.

Whenever, the termination of any workman is declared to be illegal and void, there are two possible remedies available to the workman. The first remedy is reinstatement of the workman into the services on the same position he was initially appointed and working with the bank. The second alternative remedy is a reasonable compensation. It is settled law of service jurisprudence that priority shall be given for reinstatement of services of the workman. It has been held by this Tribunal that initially appointment of the workman cannot be questioned because he has substantially worked with the management in the capacity of a daily waged worker and has completed 240 days of work in the preceding year from the date of his termination. Thus, considering the facts and circumstances of the case and the changing trend in service jurisprudence regarding the protection of right to work, I am of the view that reinstatement of the workman on the same position he was working prior to his termination is appropriate remedy. Considering the facts and circumstances of the case workman shall also be entitled for 50% back wages subject to the enhanced rates. The management of the respondent is accordingly directed to reinstate the workman on the same position he was working prior to his termination along with 50% back wages within one month from the date of publication of the award. Accordingly, the reference is answered. Let Central Government be approached for publication of award, and thereafter, file be consigned to record room.

Chandigarh.

Dated: 2-11-10

G. K. SHARMA, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2010

का.आ. 3149.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तर रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ के पंचाट (संदर्भ संख्या 42/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-11-2010 को प्राप्त हुआ था।

[सं. एल-41012/52/2008-आईआर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 29th November, 2010

S.O. 3149.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (ID No. 42/2009) of the Central Government Industrial Tribunal-cum-Labour Court-I Chandigarh as shown in the Annexure in the Industrial Dispute between the management of Northern Railway and their workman, received by the Central Government on 29-11-2010.

[No. L-41012/52/2008-IR (B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH.**

Case I. D. No. 42/2009

Shri Randhir Singh S/o Sri Hardev Singh, R/o Village Gagre, P.O. Mirpur Hans, The Jagraon, Distt. Ludhiana.

....Applicant

Versus

(1) The Divisional Railway Manager, Northern Railway, Ferozepur Cantt. (Pb) Ferozepur.

(2) The Sr. Divisional Mechanical Engineer Diesel, Northern Railway, Diesel Shed, Ludhiana.

(3) The Asstt. Mechanical Engineer Northern Railway, Diesel Shed, Ludhiana.

...Respondent

APPEARANCES

For the Workman : Shri B. N. Sehgal.

For the Management: Shri N. K. Zakhmi.

AWARD

Passed on 3-11-2010

The Government of India vide notification No. L-41012/52/2008-IR (B-1), dated 28-05-2009 by exercising its powers under Section 10 of the Industrial Disputes Act,

(the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :-

“Whether the action of the management of Northern Railway, imposing penalty of removal from service on Shri Randhir Singh w.e.f. 17-2-2006, is justified? To what relief is the applicant entitled to and from which date?”

2. After receiving the reference, parties were informed. Parties appeared and filed their respective pleadings. The main facts of the case in nut shell are that workman was appointed on 06-02-1998 as Diesel cleaner on compensatory ground on account of the death of his father during service in the pay-scale of 2500-3200 per month. The ticket no. of the workman was 951. He was removed from the services on 17-05-2006 on account of his long unauthorized absence from the services. No proper enquiry was conducted before his termination from the service. He was not afforded the opportunity for personal hearing before awarding the punishment and his appeal was rejected.

3. The management appeared and submitted that workman was habitual absentee and he remains unauthorized absent from duty for which he was awarded penalties and punishment number of times. In spite of previous punishments, he did not mend his way. Accordingly, he was issued a charge sheet for his unauthorized absence on 12-07-2005 which was served to the workman on 13-07-2005. The workman received the same on 16-07-2005. The workman did not reply within the stipulated period. So the enquiry officer was appointed. During enquiry proceedings, in spite of notice, workman did not turn up till 19-12-2005. On 19-12-2005 workman appeared and admitted his guilt before enquiry officer in writing vide letter dated 19-12-2005. The reason for his absence was shown the illness of his wife. As per the contention of the management proper and fair enquiry was conducted. He was also given the opportunity of personal hearing but he did not avail that opportunity. Order of removal from the services was passed by the disciplinary authority on 17-05-2006. Letter of awarding penalty was send to the workman through registered letter which returned to the management with the postal endorsement ‘refused’. Accordingly, the punishment pronounced became affective.

4. Both of the parties were afforded the opportunity for adducing evidence. The workman filed his affidavit and he was cross-examined at length on 13-09-2010. On behalf of the management one shri Manjit Singh file his affidavit and he was cross-examined by learned counsel for the workman. I have heard the parties at length. Learned counsel for the workman has contended that while punishing the workman for unauthorised absent, the previous misconduct and punishment awarded on the previous misconduct cannot guide the disciplinary

authority in awarding the punishment for subsequent misconduct. Learned counsel for the workman on this argument has relied upon the law laid down by Hon'ble the Apex Court in *Indu Bhushan Devadi versus State of Jharkhand* 2010 (126) FLR 994 (SC). The learned counsel for the workman has argued that past adverse record of the employee cannot be considered before awarding the punishment without considering the explanation of the employee on previous punishments.

5. I have gone through the case laws filed and relied upon by the workman which are as follows :-

- (1) *LIC of India versus R. Suresh*, 2008 (2) SCT 664 (SC).
- (2) *Joginder Lal versus The Presiding Officer, Labour Court -Ambala*, 1996 SCT 436 (Pb. & Haryana High Court).
- (3) *Jagdish Singh versus Punjab Engineering College and others* 2009 (121) FLR 984 (SC).
- (4) *Haryana State versus Dharam Pal* 2001 (1) SCT 299 (Pb. & Haryana High Court).
- (5) *Mavji C. Lakum versus Central Bank of India* 2008 (4) SLR 711 (SC).
- (6) *Inspector Prem Chand versus Govt. of N.C.T. of Delhi and others* 2007 SLR 240 (SC).
- (7) *Colour-Chem Ltd. versus A. L. Alaspurkar* 1998 (1) SCT 757 (SC).
- (8) *Karnail Singh versus The State of Haryana & others* 1989 (2) SLR 345 (Pb. & Haryana High Court).
- (9) *Hanuman Singh versus State of Rajasthan & others* 1999 (1) SLR 215 (Raj.).
- (10) *Mysore State and Road Transport Corporation versus Mirja Khasim Ali Beg & Anr.* 1977 (1) SLR 237 (SC).

6. I have also gone through the order and the punishment awarded by the disciplinary authority. The disciplinary authority has awarded the punishment on the basis of the misconduct for which the enquiry was conducted. He has also taken notice for the previous misconduct and punishment awarded. Moreover, it is important to mention that workman while appearing before the enquiry officer admitted his unauthorized absent. Before this Tribunal the workman has also admitted his unauthorized absent. The explanation given by him is that his wife was not well, she was seriously ill. There is no iota of evidence on record to prove the ailment of his wife and the treatment given to her. Even there is no evidence to prove that his wife was ill.

7. Thus, there is no proper explanation given by the workman for his unauthorized absent. The workman has admitted for his unauthorized absent.

8. In one of the case law filed and relied by learned counsel for the workman, Hon'ble the Apex Court has

defined misconduct. The misconduct has direct nexus with the ill-will and intentional act of the workman. For it, any act of the workman lacks the ill will or intention of the workman, it cannot be said to be the misconduct. Moreover the purpose of disciplinary proceedings and the punishment is to create a work culture and improve the functioning in the workman by way of suggestions. Meaning thereby, the departmental proceedings gives an opportunity to every workmen to mend his way and to do act as per law.

9. Similar nature of misconduct were conducted by the workman on previous occasions. As more as on nine occasions the workman was awarded punishment for the similar nature of misconduct. In *Indu Bhushan Devadi versus State of Jharkhand* 2010 (126) FLR 994 (SC) relied upon by the workman on the issue that past adverse record of the employee cannot be considered for awarding punishment without considering explanation of the employee, the law is laid down by Hon'ble the Apex Court in 20, 24-25 of the judgment. On careful reading of entire judicial pronouncement, it is clear that facts of this case altogether are different then the fact of industrial dispute before this Tribunal. In *Indu Bhushan case (surpa)* Hon'ble the Apex Court has held that any confidential adverse remarks on which the employee was not heard, cannot be relied upon for the punishment. However, if the punishment is lesser then purposed it shall be considered that there is no violation of any of principle of natural justice. It is contended by the workman that previous misconduct and previous punishment awarded to the workman cannot be the basis for subsequent misconduct and punishment. On all the nine occasions, punishment was awarded to the workman after affording him the proper opportunity of being heard. The punishment awarded to the workman cannot be compared with unreported adverse confidential remarks.

10. Moreover, workman is a habitual absentee and it is the case of the absenteeism of the workman. As stated earlier, disciplinary authority has passed the punishment order independently, but in my view, judicial conscious can entertained the previous misconduct and previous punishment while awarding the punishment on similar nature of misconduct. The previous misconduct and punishment are based on similar nature of misconduct for which the punishment was given to the workman. On previous similar nature of misconduct, lighter punishment was awarded by the disciplinary authority but the workman did not mend his way. He continued to commit the similar nature of misconduct and ultimately after conducting a fair and proper enquiry the disciplinary authority awarded the punishment of removal from the services. Whenever a post is created in any department that is for specific work and purpose. On account of unauthorized absent of the workman, the work culture is badly affected and purpose for which the post was created also frustrated. As stated

earlier, it is the case of the habitual absentee and the disciplinary authority has rightly shown the way out from the department to the workman. In my view there is no occasion for this Tribunal to interfere in the punishment awarded by involving its jurisdiction under section 11 A of the Act. The provisions of section 11A empowers this Tribunal to interfere in punishment awarded sparingly, if the punishment awarded is excessive and it will be miscarriage of justice, if such jurisdiction under section 11A is not invoked. It is not the case in this industrial dispute. Again and again opportunity was given to the workman to mend his way, but he continued to commit the misconduct by unauthorized absent. Accordingly, there is no force in the claim of the workman and he is not entitled for any relief. Let Central Government be approached for publication of award and thereafter, file be consigned to record room.

Chandigarh.

Dated :

G. K. SHARMA, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2010

का.आ. 3150.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 157/1993) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-11-2010 को प्राप्त हुआ था।

[सं. एल-22012/184/1993-आईआर(सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 29th November, 2010

S.O. 3150.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 157/1993) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of WCL and their workman, which was received by the Central Government on 29-11-2010.

[No. L-22012/184/1993 -IR (C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

NO. CGIT/LC/R/157/93

Presiding Officer : Shri Mohd. Shākir Hasan

General Secretary,

M.P.K.K.M.P (HMS)

PO Junnardeo,

Distt. Chhindwara (MP)

... Workman/Union

Versus

The Manager,

Rakhikol Colliery,

PO Rakhikol,

Distt. Chhindwara (MP)

...Management

AWARD

Passed on this 10th day of November, 2010

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/184/93-IR (C-II) dated 18-8-93 has referred the following dispute for adjudication by this tribunal :-

“Whether the action of the Management of Rakhikol Colliery of WCL, Kanhan Area, PO Rakhikol, Distt. Chhindwara, in dismissing Shri Dalsingh S/o Imrat, Trammer from services w.e.f. 03-10-89 is justified ? If not, to what relief the worker is entitled to ?”

2. The case of the Union/workman in short is that the workman Shri Dalsingh was Trammer at Rakhikol Colliery since 1977. He became patient of T.B. and therefore he was being victimized by the management. He was not served with any chargesheet and no enquiry was conducted before dismissing him from service w.e.f. 3-10-89. The principle of natural justice was violated as he was not provided to defend himself. The advisis were generally prevented to work as there was surplus man power and there was unfair labour practice. The provision of Section 25 (T) of the Industrial Dispute Act, 1947 was violated. On these grounds, it is submitted that the action of the management is not justified and the workman be reinstated with full back wages.

3. The management appeared and filed Written Statement to contest the reference. The case of the management interalia, is that the workman was admittedly Trammer at Rakhikol Colliery but since his appointment he was habitual absentee unauthorisedly without permission and sanction of the Competent Authority. He was chargesheeted on 14-4-89 for his unauthorized absence. His attendance in the year 1987 was 133 days, in the year 1988 was 103 days and in the year 1989 only 40 days. His reply was found unsatisfactory and the departmental proceeding was initiated. Shri J. D. Jindal, Dy. Personnel Manager, Kanhan Area was appointed as Enquiry Officer (in short E.O.). The E.O issued notice on 10-7-89 by registered post but he did not appear inspite of the receipt of the notice. When he did not appear in the proceeding, the E.O proceeded exparte on 13-8-89 against the delinquent workman. After enquiry, the E.O submitted enquiry report holding him guilty of the charges of absenteeism. The Disciplinary Authority also found that the proceeding conducted by the E.O was proper and justified and the allegation was proved. The Disciplinary Authority passed the order dated 26-9-89 of punishment of removal from service. It is stated that the principle of natural justice is

followed and there is no illegality in the departmental proceeding. The action of the management is said to be justified. The reference be accordingly answered.

4. On the basis of the pleadings of both the parties, the issues are framed :-

- I. Whether the enquiry is just, proper and legal ?
- II. Whether the management is entitled to lead evidence before this Tribunal ?
- III. Whether the charges of misconduct are proved on the facts of the case ?
- IV. Whether the punishment award is proper and legal ?
- V. Relief and costs.

5. **Issue No. 1 & 2 -**

The preliminary issues are taken up by the then Tribunal on 12-4-96 and it is held that the departmental enquiry conducted by the management is fair, proper and legal and direct to argue on the issues No. 3 to 5. Thus these issues are already answered.

6. **Issue No. 3 -**

The Union/workman subsequently became absent and the proceeding proceeded ex parte against the workman on 18-9-07 on the above three issues. The management adduced evidence in the case. The management has examined Shri K. Raja Prabhakaran in the case who is Sr. Personnel Officer at Rakhikol Colliery. He has supported the case of the management. He has stated that in the year 1987, the workman was 133 days, in the year 1988 he was 103 days and in the year 1989 he was only 40 days on attendance. He has further stated that he was habitual absentee unauthorisedly without permission. The departmental enquiry papers further corroborates the case of the management on the point of habitual absenteeism of the workman. There is no other evidence in rebuttal of the evidence of the management. There is no reason to disbelieve the evidence on record. Considering the above discussion, it is clear that the charges of misconduct are proved. This issue is decided in favour of the management.

7. **Issue No. 4 & 5 -**

On the basis of the discussion made above, it is clear that the misconduct is proved against the workman. The learned counsel for the management submits that the seriousness and gravity of the misconduct is proved against the workman and therefore the punishment awarded to him was just and proper. I do not find any reason to interfere in the punishment. I find that the workman is not entitled to any relief. Accordingly these issues are decided and the reference is answered.

9. In the result, the award is passed without any order to costs.

10. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2010

का.आ. 3151.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 162/1996) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-11-2010 को प्राप्त हुआ था।

[सं. एल-22012/229/1995-आईआर(सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 29th November, 2010

S.O. 3151 —In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 162/1996) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 29-11-2010.

[No. L-22012/229/1995-IR (C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

No. CGIT/LC/R/162/96

Presiding Officer : Shri Mohd. Shakir Hasan

The President,
Rashtriya Koyla Khadan Mazdoor
Sangh (INTUC),
Post North Jhagrakhand Colliery,
Distt. Surguja (MP) ... Workman/Union

Versus

The Chief General Manager,
Hasdeo Area of SECL,
Post South Jhagrakhand Colliery,
Distt. Surguja (M.P.) ... Management

AWARD

Passed on this 11th day of November, 2010

I. The Government of India, Ministry of Labour vide its Notification No. L-22012/229/95-IR (C-II) dated 21-8-96 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the Sub Area Manager, Bijuri sub Area of SECL, Hasdeo Area in not regularizing

132 workers (list enclosed) who perform various jobs at Bijuri Colliery during the year 1993-94 is legal and justified? If not to what relief the workmen are entitled?"

2. The case of the Union/workman in short is that 132 workmen were engaged at Bijuri Colliery of SECL to perform various jobs during the period on 1993-94 and their attendance was taken at the gate of the mine. The management supervised their work. It is stated that in the year 1993 when the workmen completed 240 days, they demanded regularization in the mine in the year 1994. It is stated that the management had shown that prohibited nature of mine jobs were done by the contractors but infact that was performed under the supervision of the management. It is submitted that the management be directed to regularize 132 workers w.e.f. 1-1-1994 with all benefits.

3. The management appeared and filed Written Statement. The case of the management, inter alia, is that the management categorically denied the engagement of 132 workers in different jobs in Bijuri mine either directly or through contractors. It is also denied that these 132 claimant workmen were member of the Union. They were never engaged by the management especially in the year 1993. As such the completion of their work for a period of 240 days does not arise. The claim of the applicants workmen is vague, unspecific as far as the period of work, nature of work, number of persons engaged under which contractors. It is stated that there is no merit in the claim of the applicant and therefore the reference be answered in favour of the management.

4. The Union/workman appeared in the case and filed statement of claim in the reference. Thereafter the Union/workmen became absent. Lastly the then Tribunal proceeded the reference exparte against the Union/Workman on 8-2-2007.

5. On the pleadings of both the parties, the following issues are settled for adjudication :—

- I. Whether the 132 workers ever worked in Bijuri Sub Area of SECL, Hasdeo Area?
- II. If so, Whether the action of the management in not regularizing them in the year 1993-94 is legal and justified?
- III. What other relief, if any, the workmen are entitled?

6. Issue No. I & II

The management has adduced oral and documentary evidence. The management witness Shri M.L. Sahu is Personnel Manager in SECL, Hasdeo Area. He has stated that 132 persons had never been engaged by the management for any type of work in the mining operation at Bijuri under ground either directly or through contractors. It is evident that the management has completely denied the engagement of any of these

workmen. The burden is on the Union/workmen to establish that they had been ever engaged in Bijuri Mine in any nature of work. There is no other evidence in rebuttal of the evidence of the management to establish that they were ever engaged. There is no reason to disbelieve the evidence of the management in absence of any other evidence. I find that presently there is no case of the Union/workmen. These issues are decided in favour of the management.

7. Issue No. III

Considering the discussion made above, it is clear that the Union/workmen is not entitled to any relief. Accordingly the reference is answered.

8. In the result, the award is passed without any order to costs.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 30 नवम्बर, 2010

का.आ. 3152.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेजर डिप्टी असिस्टेंट एडजुटेंट जनरल फॉर कमांडर के प्रबंधन के संबद्ध नियंत्रकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण एवं श्रम न्यायालय, अजमेर के पंचाट (संदर्भ संख्या सी.आई.टी.आर.01/06) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-11-2010 को प्राप्त हुआ था।

[सं. एल-14011/9/2005-आईआर (डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 30th November, 2010

S.O. 3152.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CITR - 01/06) of the Industrial Tribunal - cum - Labour Court Ajmer as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Major Deputy Assistant Adjutant General for Commander and their workmen, received by the Central Government on 30-11-2010.

[No. L-14011/9/2005-IR (DU)]

JOHAN TOPNO, Under Secy.

अनुबन्ध

श्रम न्यायालय एवं औद्योगिक न्यायाधिकरण, अजमेर

पीठासीन अधिकारी - श्री पवन एन. चन्द्र, आर.एच.जे.एस

प्रकरण संख्या - सी.आई.टी.आर. 01/06

रेफरेंस संख्या - एल - 14011/9/2005-आई आर (डीयू)
दिनांक 06-06-06

श्री देवाखान पुत्र श्री उमराव खान चीता मेहरात द्वारा -अनुसूचित जाति/जनजाति महासंघ, धोलाभाटा मेन रोड, अजमेर मृतक बजरिये उसके वारिसान् एवं कानूनी प्रतिनिधि:-

- 1/1 श्रीमति समीदा धर्मपत्नी स्व. श्री सदेवाखान जाति चीता मेहरात
 1/2 श्री शाहिद खान सुपुत्र स्व. श्री देवाखान उम्र 15 वर्ष
 1/3 श्री अयूब खान सुपुत्र स्व. श्री देवाखान उम्र 12 वर्ष
 1/4 श्री शोकत खान सुपुत्र स्व. श्री देवाखान उम्र 10 वर्ष
 1/5 श्री शाहजाद खान सुपुत्र स्व. श्री देवाखान उम्र 7 वर्ष
 1/6 श्री शमीन खान सुपुत्र स्व. श्री देवाखान उम्र 4 वर्ष

क्र.सं. 2 से 6 नाबालिगन बजरिये अपनी प्राकृतिक माता एव. वली श्रीमति समीदा समस्त जाति चीता (मेहरात) के निवासीगण बाडिया देवलाकी डांग ग्राम राजोसी वाया नसीराबाद जिला अजमेर

....प्राथीगण

बनाम

मेजर डिप्टी असिस्टेंट एडज्यूटेंट जनरल हैड क्वा. 340 (इंडिपेंडेंट) मैकेनाइज्ड ब्रिगेड द्वारा -56, ए.पी.ओ. नसीराबाद

....अप्राथी

उपस्थिति

प्राथी की ओर से : श्री राजेश खन्ना, अधिवक्ता - प्रतिनिधि

अप्राथी की ओर से : श्री रामस्वरूप, अधिवक्ता - प्रतिनिधि

अवार्ड

दिनांक 27-10-10

1. श्रम विभाग, केन्द्र सरकार द्वारा इस न्यायालय के अधिनिर्णयार्थ निम्न रेफरेंस प्रेषित किया है:-

“Whether the action of the management of Major Deputy Assistant Adjutant General for Commander, Head Quarters 340 (Independent), Mechanised Brigade, C/o 56 APO, Nasirabad and Commandant Head Quarters 340 (Independent) Brigade 56 APO in terminating the services of Shri Devakhan S/o Shri Umraav Khan w.e.f. 31-10-2004 is just and legal If not, to what relief is the workman entitled?”

3. नोटिस के उपरांत उभयपक्ष उपस्थित आये। प्राथी कर्मकार की ओर से उसके विधिक प्रतिनिधिगण ने दिनांक 16-10-06 को क्लेम प्रस्तुत कर अंकित किया है कि वह चौदह वर्षों से विपक्षी सं.1 के अधीन गार्डनर माली के पद पर अस्थाई रूप से कार्यरत था। नियुक्ति के संबंध में उसे कोई लिखित आदेश नहीं दिया गया था। विपक्षी द्वारा दिनांक 29-9-04 को नोटिस देकर उसकी सेवायें समाप्त कर दी। उसका मामला औद्योगिक विवाद अधिनियम की धारा 25 बी, एफ, एन के अंतर्गत पूरी तरह से विचारणीय है और चूंकि उसने एक कैलेंडर वर्ष में 240 दिन से अधिक समय तक निष्क्रिय रूप से कार्य किया है, ऐसी स्थिति में उसका सेवा समाप्ति आदेश दिनांक 31-10-04 गलत, अवैध एवं शून्य प्रभावी घोषित किये जाने योग्य है

तथा वह दिनांक 31-10-04 से पुनः समस्त परिलाभों के साथ सेवा में बहाल किये जाने योग्य है।

4. प्राथी पक्ष के क्लेम का जवाब देते हुए विपक्षीगण ने यह तो स्वीकार किया है कि प्राथी ने जुलाई 2000 से सितंबर 2004 तक 1600 रुपये प्रतिमाह के वेतन पर माली के रूप में अस्थाई तौर पर उनके यहां काम किया है परंतु उनका कथन है कि प्राथी का कार्य संतोषजनक नहीं होने से उसे एक माह का नोटिस देकर सेवा से पृथक् किया गया है। अतिरिक्त कथन में विपक्षी उन्होंने विभाग को रक्षा मंत्रालय से संबंधित होने के कारण इस पर औद्योगिक विवाद अधिनियम लागू नहीं होना कहा है और इस स्थिति में उन्होंने प्राथी के क्लेम को खारिज करने की प्रार्थना की है।

5. प्राथी की ओर से उनकी पत्नी श्रीमती समीदा के बयान लिपिबद्ध कराये गये जबकि विपक्षी पक्ष की ओर से मेजर सुजीत सिंह के बयान लिपिबद्ध कराये गये।

6. मैंने उभयपक्षों के योग्य अधिवक्ताओं की बहस ध्यानपूर्वक सुनी तथा पत्रावली पर उपलब्ध समग्र साक्ष्य का बारीकी से अध्ययन एवं मूल्यांकन किया है।

7. प्रस्तुत प्रकरण में हमारे समक्ष निम्न महत्वपूर्ण अवधारणीय बिंदु हैं :-

(1) क्या प्राथी के विवाद के संबंध में औद्योगिक विवाद अधिनियम के प्रावधान लागू नहीं होते हैं।

(2) क्या मेजर डिप्टी डिप्टी असिस्टेंट एडज्यूटेंट जनरल फॉर कमांडेंट हैडक्वार्टर 340 मेकेनाइज्ड ब्रिगेड व कमांडेंट हैडक्वार्टर 340 ब्रिगेड द्वारा प्राथी देवाखान को दिनांक 31-10-04 से सेवामुक्त करने का आदेश सद्भाविक एवं विधिक है और यदि नहीं है तो कर्मकार किस राहत को प्राप्त करने का अधिकारी है।

8. उपरोक्त बिंदुओं के संबंध में मेरा निम्न विवेचन एवं निष्कर्ष है :-

9. बिंदु संख्या -1 :- विपक्षी पक्ष की ओर से इस आशय की विधिक आपत्ति अपने जवाब एवं बहस के दौरान प्रस्तुत की गयी है कि चूंकि प्राथी का विवाद आर्मी अधिनियम 1950 के अधीन आता है और उसे औद्योगिक विवाद अधिनियम की धारा 2 घ के अधीन कर्मकार नहीं माना गया है ऐसी स्थिति में श्रम न्यायालय विपक्षीगण के विरुद्ध औद्योगिक विवाद अधिनियम के तहत किसी प्रकार का अवार्ड पारित करने का क्षेत्राधिकार नहीं रखते हैं।

10. प्राथी के योग्य अधिवक्ता से पूछे जाने पर स्वीकार करते हैं कि जिन श्रमिकों का विवाद वायुसेना अधिनियम 1950, सेना अधिनियम 1950, एवं नौ सेना अधिनियम 1957 के अधीन आता है उन पर औद्योगिक विवाद अधिनियम 1947 के प्रावधान लागू नहीं होते हैं।

11. मैंने भी औद्योगिक विवाद अधिनियम की धारा 2 घ में कर्मकार की परिभाषा का अध्ययन किया है जिसके उपनियम 1 के अंतर्गत ऐसे समस्त व्यक्तियों को औद्योगिक विवाद अधिनियम के तहत कर्मकार होना नहीं माना गया है जिनका विवाद सेना अधिनियमों 1950 के अंतर्गत आता है।

12. प्रार्थी पक्ष की ओर से जो विवाद उत्पन्न किया जाता है वह रक्षा मंत्रालय के अधीन स्थापित 340 इंडिपेंडेंट मैकेनाइज्ड ब्रिगेड के मेजर डिप्टीअसिस्टेंट एडज्यूटेंट जनरल फॉर कमांडर हैडक्वार्टर के विरुद्ध उत्पन्न किया है। मेरे मत में जब देवाखान ने अपने क्लेम की मद सं.1 में रक्षा मंत्रालय के अधीन कार्यरत होने का कथन अंकित किया है तो निःसंदेह उसे औद्योगिक विवाद अधिनियम की धारा 2 घ में वर्णित कर्मकार की परिभाषा में होना नहीं माना जा सकता है।

13. जब इस प्रकार के विवाद के संबंध में औद्योगिक विवाद अधिनियम के तहत मामले का परीक्षण करने का क्षेत्राधिकार निहित नहीं है तो फिर केंद्र सरकार श्रम मंत्रालय की ओर से यह रेफरेंस किया ही नहीं जाना चाहिये था।

14. उपरोक्त परिस्थितियों में विपक्षी पक्ष की ओर से प्रस्तुत कानूनी आपत्ति में बल होना प्रतीत होता है कि रेफरेंस किये गये मामले में इस न्यायालय को हस्तक्षेप करने का अधिकार नहीं है। उपरोक्त परिस्थितियों में मैं विवाद के गुणावगुण के संबंध में किसी प्रकार का मत व्यक्त किया जाना न्याय संगत नहीं समझते हुए इस रेफरेंस का उत्तर आगे उल्लिखित अनुसार दिया जाना न्यायोचित प्रतीत होता है।

—: आदेश- आवर्ड :-

परिणामतः केंद्र सरकार श्रम मंत्रालय की ओर से प्रस्तुत रेफरेंस का उत्तर इस प्रकार से दिया जाता है कि चूंकि तथाकथित कर्मकार श्री देवाखान ने स्वयं को रक्षा मंत्रालय के अधीन नियुक्त होना कहा है तो ऐसे कर्मकार का विवाद सेना अधिनियम 1950 से अधिनिर्धारित किया जा सकता है। इस स्थिति में देवाखान की सेवा समाप्ति के आदेश दिनांक 31-10-04 के गुण-अवगुणों के संबंध में किसी प्रकार का आदेश क्षेत्राधिकार ना होने से नहीं दिया जाता है और कर्मकार इस न्यायालय से इस स्टेज पर कोई राहत पाने का अधिकारी नहीं है।

पवन एन. चन्द्र, न्यायाधीश

नई दिल्ली, 14 दिसम्बर, 2010

का. आ. 3153.—जबकि मैसर्स बी.वी.आई एच. आर. प्रैक्टिस प्रा. लिमिटेड [दिल्ली (दक्षिण) क्षेत्र में कोड संख्या डीएल/ 28683 के अंतर्गत](एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उप-धारा (1) के खण्ड (क) के अंतर्गत छूट के लिए आवेदन किया है।

2. और जबकि, केंद्र सरकार के विचार में अंशदान दर के मामले में उक्त प्रतिष्ठान के भविष्य निधि के नियम उसके कर्मचारियों के लिए उक्त अधिनियम की धारा 6 में विनिर्दिष्ट नियमों की तुलना में कम हितकर नहीं हैं और कर्मचारी समान प्रकृति के किसी अन्य प्रतिष्ठान के कर्मचारियों के संबंध में उक्त अधिनियम या कर्मचारी भविष्य निधि योजना, 1952 (एतदुपरान्त योजना के रूप में संदर्भित) के अंतर्गत अन्य भविष्य निधि लाभ भी प्राप्त कर रहे हैं।

3. केंद्र सरकार एतद्वारा, अब उक्त अधिनियम की धारा 17 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का

प्रयोग करते हुए तथा इस संबंध में समय-समय पर विनिर्दिष्ट शर्तों को ध्यान में रखते हुए, उक्त प्रतिष्ठान को उक्त योजना के समस्त उपबंधों के प्रचालन से 09-12-2010 से अगली अधिसूचना तक के लिए छूट प्रदान करती है।

[सं. एस-35015/26/2010-एस. एस-II]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14th December, 2010

S. O. 3153.—Whereas M/s BVI HR Practice Private Limited. [under Code No. DL/28683 in Delhi (South) Region] (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby, exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 09-12-2010 until further notification.

[No. S-35015/26/2010-SS-II]

S. D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का. आ. 3154.—जबकि मैसर्स एडिको फ्लेक्सिवन वर्क फोर्स सॉल्युशन लि. [बंगलौर क्षेत्र में कोड संख्या के. एन./34272 के अंतर्गत](एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उप-धारा (1) के खण्ड (क) के अंतर्गत छूट के लिए आवेदन किया है।

2. और जबकि, केंद्र सरकार के विचार में अंशदान दर के मामले में उक्त प्रतिष्ठान के भविष्य निधि के नियम उसके कर्मचारियों के लिए उक्त अधिनियम की धारा 6 में विनिर्दिष्ट नियमों की तुलना में कम हितकर नहीं हैं और कर्मचारी समान प्रकृति के किसी अन्य प्रतिष्ठान के कर्मचारियों के संबंध में उक्त अधिनियम या कर्मचारी भविष्य निधि योजना, 1952 (एतदुपरान्त योजना के रूप में संदर्भित) के अंतर्गत अन्य भविष्य निधि लाभ भी प्राप्त कर रहे हैं।

3. केंद्र सरकार एतद्वारा, अब उक्त अधिनियम की धारा 17 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग

करते हुए तथा इस संबंध में समय-समय पर विनिर्दिष्ट शर्तों को ध्यान रखते हुए, उक्त प्रतिष्ठान को उक्त योजना के समस्त उपबंधों के प्रचालन से 09-12-2010 से अगली अधिसूचना तक के लिए छूट प्रदान करती है।

[सं. एस-35015/24/2010-एस. एस-II]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14th December, 2010

S. O. 3154.—Whereas M/s Adecco Flexione Work Force Solution Ltd. [under Code No. KN/34272 in Bangalore Region] (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby, exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 09-12-2010 until further notification.

[No. S-35015/24/2010-SS-II]

S. D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का.आ. 3155.—जबकी मैसर्स मेरिको लिमिटेड [बांद्रा क्षेत्र में कोड संख्या एमएच/34904 के अंतर्गत] (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उप-धारा (1) के खण्ड (क) के अंतर्गत छूट के लिए आवेदन किया है।

2. और जबकि, केन्द्र सरकार के विचार में अशंका दूर के मामलों में उक्त प्रतिष्ठान के भविष्य निधि के नियम उसके कर्मचारियों के लिए उक्त अधिनियम की धारा 6 में विनिर्दिष्ट नियमों की तुलना में कम हितकर नहीं हैं और कर्मचारी समान प्रवृत्ति के किसी अन्य प्रतिष्ठान के कर्मचारियों के संबंध में उक्त अधिनियम या कर्मचारी भविष्य निधि योजना, 1952 (एतदुपरान्त योजना के रूप में संदर्भित) के अंतर्गत अन्य भविष्य निधि लाभ भी प्राप्त कर रहे हैं।

3. केन्द्र सरकार एतद्वारा, अब उक्त अधिनियम की धारा 17 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में समय-समय पर विनिर्दिष्ट शर्तों को ध्यान में रखते हुए, उक्त प्रतिष्ठान को उक्त योजना के समस्त उपबंधों के

प्रचालन से 01-04-1990 से अगली अधिसूचना तक के लिए छूट प्रदान करती है।

[सं. एस-35015/27/2010 एस.एस-II]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14th December, 2010

S.O. 3155.—Whereas M/s. Marico Ltd. [under Code No. MH/38904 in Bandra Region] (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby, exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 01-04-1990 until further notification.

[No.S-35015/27/2010-S.S.-II]

S. D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का.आ. 3156.—जबकी मैसर्स गोदरेज एग्रीवेट लिमिटेड [मुंबई क्षेत्र में कोड संख्या एमएच/39045 के अंतर्गत] (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उप-धारा (1) के खण्ड (क) के अंतर्गत छूट के लिए आवेदन किया है।

2. और जबकि, केन्द्र सरकार के विचार में अशंका दूर के मामलों में उक्त प्रतिष्ठान के भविष्य निधि के नियम उसके कर्मचारियों के लिए उक्त अधिनियम की धारा 6 में विनिर्दिष्ट नियमों की तुलना में कम हितकर नहीं हैं और कर्मचारी समान प्रवृत्ति के किसी अन्य प्रतिष्ठान के कर्मचारियों के संबंध में उक्त अधिनियम या कर्मचारी भविष्य निधि योजना, 1952 (एतदुपरान्त योजना के रूप में संदर्भित) के अंतर्गत अन्य भविष्य निधि लाभ भी प्राप्त कर रहे हैं।

3. केन्द्र सरकार एतद्वारा, अब उक्त अधिनियम की धारा 17 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में समय-समय पर विनिर्दिष्ट शर्तों को ध्यान में रखते हुए, उक्त प्रतिष्ठान को उक्त योजना के समस्त उपबंधों के प्रचालन से 01-04-1994 से अगली अधिसूचना तक के लिए छूट प्रदान करती है।

[सं. एस-35015/104/2009 एस.एस-II]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14th December, 2010

S.O. 3156.—Whereas M/s. Godrej Agrovet Limited [under Code No. MH/39045 in Mumbai Region] (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the Provident Fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other Provident Fund benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby, exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 1-04-1994 until further notification.

[No. S-35015/104/2009-SS-II]

S. D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का. आ. 3157.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1 जनवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध जम्मू एवं कश्मीर राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

1. नगर परिषद् उधमपुर, जिला उधमपुर की नगरपालिका सीमा के अंतर्गत आने वाले समस्त क्षेत्र ।
2. सिकॉप औद्योगिक कॉम्पलेक्स, बटल बालियाँ, रठियान, जिला उधमपुर की नगरपालिका सीमा के अंतर्गत आने वाले समस्त क्षेत्र ।

[सं.-एस-38013/50/2010-एसएस-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14th December, 2010

S.O. 3157.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government

hereby appoints the 1st January, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79, 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Jammu and Kashmir namely :—

1. All the areas falling within the Municipal Limits of the Municipal Council Udhampur, District Udhampur.
2. All the areas falling within the limits of the SICOP Industrial Complex Battal Ballian, Rathain District Udhampur.

[No. S-38013/50/2010-SS-I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का. आ. 3158.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1 जनवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

केन्द्र

तुलुक्कपट्टी,
जिला विरुदुनगर

बढ़ते हुए निम्नलिखित
क्षेत्र/विरुदुनगर जिले
के राजस्व गाँव

1. तुलुक्कपट्टी
2. वी. चोक्कलिंगापुरम
3. वचक्कारपट्टी
4. पटअमपुतुर
5. आवडैयापुरम्
6. कोविलवीरारपट्टी
7. इन्डापुली
विरुदुनगर तालुक में
8. ई. कुमारलिंगापुरम्
विरुदुनगर जिले के
सानुर तालुक में।

[सं.-एस-38013/44/2010-एसएस-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14th December, 2010

S.O. 3158.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government

hereby appoints the 1st January, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu namely :—

Centre	Areas Comprising the Revenue Villages of
Thulukkappatti, Virudhunagar District	(a) Thalukkappatti (b) V. Chokkalingapuram (c) Vachakkarapatti (d) Pattamputhur (e) Avadaiyapuram (f) Kovilveerapatti (g) Endapuli in Virudhunagar Taluk and (h) E. Kumaralingapuram in Sattur Taluk of Virudhunagar District.

[No. S-38013/44/2010-SS-I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का. आ. 3159.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1 जनवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध हरियाणा राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

क्रमांक	राजस्व भाग	हदबस्त संख्या	जिला
1.	लोवा खुर्द	47	झज्जर

[सं. एस-38013/51/2010-एसएस-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14th December, 2010

S.O. 3159.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government

hereby appoints the 1st January, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Haryana namely :—

Sl. No.	Revenue Village	Had Bast No.	District
I.	Lowa Khurd	47	Jhajjar

[No. S-38013/51/2011-SS-I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का. आ. 3160.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1 जनवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध जम्मू एवं कश्मीर राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

“गांव कंदरोड़ियां, तहसील और जिला रियासी के अंतर्गत आने वाले समस्त क्षेत्र।”

[सं.-एस-38013/46/2010-एसएस-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14th December, 2010

S.O. 3160.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Jammu and Kashmir namely :—

“All the areas falling within entire village Kandrorian, Tehsil and District Reasi.”

[No. S-38013/46/2010-SS-I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का. आ. 3161.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 01 जनवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध छत्तीसगढ़ राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

“राजस्व ग्राम-पतरापाली, उर्दुना, कलमी, किसनापुर, खैरपुर, गोरखा, चिराईपानी, टीपाखोल, बरमुड़ा, भगवानपुर, सराईपाली, जिला रायगढ़ की सीमाओं के अन्तर्गत आने वाले सभी क्षेत्र।”

[सं. एस-38013/48/2010-एसएस-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14 December, 2010

S.O. 3161.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Chhattisgarh namely :—

“All areas falling within the revenue village Patrapali, Urdana, Kalmi, Kishanpur, Kharipur, Gorkha, Chiraipani, Tipakhhol, Barmuda, Bhagwanpur, Saraipali, District Raigarh.”

[No.S-38013/48/2010-SS-I]

S.D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का. आ. 3162.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1 जनवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध छत्तीसगढ़ राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

“राजस्व ग्राम-टेडेसरा, सोमनी, जिला राजनांदगांव की सीमाओं के अन्तर्गत आने वाले सभी क्षेत्र।”

[सं. एस-38013/47/2010-एसएस-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14 the December, 2010

S.O. 3162.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Chhattisgarh namely :—

“All areas falling within the revenue village Tedesara, Somani, District Rajnandgaon.”

[No.S-38013/47/2010-SS-I]

S.D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का. आ. 3163.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 01 जनवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध छत्तीसगढ़ राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

“तराईमाल-आमापाली, गेरवानी, देलारी, दनौट, पाली, लामीडरहा, शिवपुरी, छिंदभौना, बड़माल, भैंसगढ़ी, गोरखामुड़ा, आमाघाट, पुर्जीपथरा, गौरमुड़ी, उजलपुर, सराईपाली, जिला रायगढ़ की सीमाओं के अन्तर्गत आने वाले सभी क्षेत्र।”

[सं. एस-38013/49/2010-एसएस-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14th December, 2010

S.O. 3163.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Chhattisgarh namely :—

“All areas falling within the revenue village Taraimal, Aamapali, Gerwani, Delari, Danaut, Pali, Lamidraha, Shivpuri, Chhindbhona, Badmal.

Bhainsgadhi, Gorkhamuda, Aamaghat, Punjipathra, Gourmudi, Ujalpur, Saraipali, District Raigarh.”

[No.S-38013/49/2010-SS-I]

S.D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का. आ. 3164.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 01 जनवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

केन्द्र	निम्न क्षेत्र के अन्तर्गत आने वाले राजस्व गाँव
शोलावरम, तिरुवल्लूर जिला	(क) शोलावरम
में पोन्नेरी तालुक	(ख) ओरक्काडु गाँव
	(ग) सेंबुलिवलम
	(घ) सिरुनियम

[सं.-एस-38013/52/2010-एसएस-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14th December, 2010

S.O. 3164.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Tamil Nadu namely:—

Centre	Areas Comprising the Revenue Villages of
Sholavaram, Ponneri Taluk in Tiruvallur District	(a) Sholavaram (b) Orakkadu Village, (c) Sembulyvalam, (d) Sirunium

[No.S-38013/52/2010-SS-I]

S.D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का. आ. 3165.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1 जनवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

केन्द्र	निम्न क्षेत्र के अन्तर्गत आने वाले राजस्व गाँव
कांचीपुरम जिला के,	(क) कुन्दतूर
कुन्दतूर व मांगडा,	(ख) बरणीपुदूर
श्रीपेरुमुदूर तालुक	(ग) सिक्करायपुरम
	(घ) कोवूर
	(ङ) मांगडा
	(च) तण्डलम

[सं.-एस-38013/45/2010-एसएस-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14th December, 2010

S.O. 3165.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu namely:—

Centre	Areas Comprising the Revenue Villages of
Kundrathur and Mangadu	(a) Kundrathur
Sriperumbudur Taluk	(b) Baraniputhur
Kancheepuram District	(c) Chikarayapuram (d) Kovur (e) Mangadu (f) Thandalam

[No. S-38013/45/2010-SS-I]

S.D. XAVIER, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का. आ. 3166.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1 जनवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

केन्द्र निम्न क्षेत्र के अंतर्गत
आनेवालेसजस्व गांव

कडलूर जिला के नेय्वेली (क) नेय्वेली

[सं.-एस-38013/42/2010-एस.एस.-I]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 14th December, 2010

S.O. 3166.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79, 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu namely :—

Centre Areas
Comprising
the Revenue
Villages of

Neyveli (a) Neyveli

Cuddalore District

[No. S-38013/42/2010-S.S.-I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 29 नवम्बर, 2010

का. आ. 3167.—औद्योगिक अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कर्मचारी राज्य बीमा निगम के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 72/2007) को प्रकाशित करती है जो केन्द्रीय सरकार को 29-11-2010 को प्राप्त हुआ था।

[सं. एल 15025/1/2010-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 29th November, 2010

S.O. 3167.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 72 / 2007) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Employees State Insurance Corporation and their workmen, which was received by the Central Government on 29-11-2010.

[No. L-15025/1/2010-IR(M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT HYDERABAD**

PRESENT : Shri Ved Prakash Gaur,
Presiding Officer

Dated the 30th day of August, 2010

INDUSTRIAL DISPUTE L.C. No.72/2007

BETWEEN:

Smt. Chavati Ramu,
W/o Chavati Adinarayana,
R/o Indiranagar Colony,
Near Srikantha Theater,
Railway New Colony, Visakhapatnam.

.. Petitioner

AND

1. The Manager,
Employees State Insurance Corporation,
R/o at D. No. 9-29-14, Balajinagar,
Visakhapatnam.
2. The Regional Director,
Employees State Insurance Corporation,
D. No. 5-9-23, Hill Fort Road, Hyderabad - 500 063.

... Respondents

APPEARANCES:

For the Petitioner : M/s. L. Madhusudhan Rao,
Ch.T.V.S. Murthy & V.
Satyanarayana, Advocates

For the Respondent : Sri William Barra, Advocate

AWARD

This petition under Sec. 2 A (2) of the I.D. Act, 1947 was filed by Smt. Chavati Ramu, ex. Employee of Employees State Insurance Corporation in light of the judgment of the Hon'ble High Court of Andhra Pradesh

reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others challenging her termination by the management.

2. Petitioner submitted that she initially joined in the Respondent organization as a sweeper during 1995. Though she worked for about 10 years her services were not regularized. Petitioner used to draw a salary of Rs. 150 per month and she used to put her thumb impression being illiterate. During April, 2005, one Mr. Suryanarayana, Head Clerk and Mr. Karunanidhi, Manager of Respondent No. 1 organization started harassing the Petitioner mentally and physically and thereafter she was not allowed to perform her duties on which she represented vide representation dated 11-4-2005 to the District Collector. She was abused by above mentioned officials by taking her caste name 'Mala' when she went to Respondent No. 1's office on 12-4-2005 where she was beaten by them in the office room due to which she sustained injuries. She lodged complaint at III Town Police Station and she was sent for medical treatment. That Petitioner issued lawyer's notice dated 5-9-2005 for which received reply dated 3-10-2005 with false and fictitious contents. Petitioner work woman prayed this court to direct the management to reinstate her service with back wages and continuity of service.

3. Counter statement was filed by the Respondent No. 1 and 2. It is submitted by the Respondents that petition filed against Respondent No. 2 is not maintainable. That Petitioner was a contingent employee working for less than an hour per day on payment of Rs. 150 to 250 per month. In this connection the Hon'ble Supreme Court in Secretary, State of Karnataka and other Vs. Uma Devi and other AIR 2006 SC. 1806 (2006) 4 SCC-1 2006-II, LLJ-722 has held that there can not be any case for regularization without there being employee employer relationship. It is submitted that Petitioner services were terminated on expiry of contract employment on 31-3-2005. That she was engaged as part time sweeper cum water carrier on periodical basis from 8-4-1999 but not from 1995. She was paid on vouchers as contingent charges but not as salary. The contract came to an end on 31-3-2005 accordingly she was ceased to be part time sweeper cum water carrier from 1-4-2005. Aggrieved with non-renewal of contract, Petitioner used abusive language against the Respondent No. 1 and complained to District Collector, Visakhapatnam and III Town Police Station, Visakhapatnam. It is submitted that 1st Respondent never abused her by naming her 'caste' etc., and the officer being Tamil speaking officer is not in a position to understand Telugu, leave alone using an abusive language about her caste. Petitioner is not entitled for reinstatement or any relief as she is not covered under the provisions of Industrial Disputes Act, 1947.

4. Both parties were directed to adduce their respective evidence. Petitioner workman filed her affidavit

as WW1 and affidavit of Smt. D. Lalitha as WW2 and presented herself and Smt D. Lalitha for cross examination. Respondent also produced documentary evidence material Ex. M1 to M18 and filed affidavit of Sri M. V. Suryanarayana, Assistant in the office of Employees State Insurance Corporation Visakhapatnam he appeared for cross examination but none appeared to cross examine the management witness, thus, the cross examination was forfeited and evidence was closed.

5. On the date of argument Petitioner or his counsel were absent. Counsel for the Respondent appeared and argued on behalf of the Respondent.

6. I have heard the argument of Learned Counsel for the Respondent and gone through claim statement, counter statement and oral evidence of the Petitioner and oral and documentary evidence of Respondent.

7. It has been argued by the Learned Counsel for the Respondent that it was agreed case of the parties that workman of this case was engaged as part time sweeperess for a definite period in Respondent organization. Her last engagement was made from 1-4-2004 to 31-3-2005, on a fixed pay of Rs. 250 per month. She was engaged on the basis of contract for a specific purpose and specific period. Since the period of last engagement expired on 31-3-2005 she was not engaged for further period as such, it can not be said that her services were terminated or she was dismissed without following any procedure. More over, the Petitioner of this case is not a workman within the meaning of Sec. 2(o) of the Industrial Disputes Act, 1947. She was engaged on contract basis and she was a contract labourer, as such, she can not claim reinstatement or for regularization of her services.

8. I have considered this argument, this tribunal has to determine the following points:

(I) Whether the disengagement of Smt. Chavati Ramu amounts to unfair labour practice?

(II) Whether she is entitled for engagement or for reinstatement in the service?

9. Point Nos. (I) & (II): Both these points are interrelated as such, they are being disposed off together. The Petitioner's contention is that she was appointed in the year 1995 at Dondaparthi, for a salary of Rs. 150 per month which was enhanced to Rs. 450 per month but on papers her salary was shown as Rs. 250 per month. She has further claimed that the office premises was shifted from Dondaparthi to Balajinagar, Visakhapatnam and she continued to serve for more than 10 years. She worked for full time, she requested for regularization but her services were terminated from 1-4-2005. She filed affidavit in support of her above contention. In her cross examination she was asked whether she worked under a written order from April, 1999 or March, 2000 or not to which she has denied.

However, the Respondent management has filed engagement orders vide Ex. M1 dated 2-4-1996 by which one Smt. V. Aruna Devi was engaged as part time sweeperess w.e.f. 1-4-96 at Rs.250 per month. The management has filed another paper Ex. M2 dated 1.4.98 that one Smt. V. Aruna Kumari was appointed as part time sweeperess to work from 1-4-98 to 31-3-99 and the present work woman Smt. S. Ramu was engaged as part time sweeperess w.e.f. 8-4-99 to 31-3-2000 vide order dated 8-4-99 as Ex. M3. This prove that present Petitioner was not working in any capacity in the management organization in the year 1995 as claimed by her. But she was engaged as part time sweeperess for first time on 8-4-99 for and upto 31-3-2000. Thereafter she was re-engaged vide office order dated 25-4-2000 to work as part time sweeperess from 1-4-2000 to 31-3-2001 and like wise she was engaged for the year 2002, 2003, 2004 and lastly from 1-4-2004 to 31-3-2005 on monthly remuneration of Rs. 250 per month as part time sweeperess. The Petitioner workman has denied that she was engaged through any written letter. However, the management has filed written orders in the form of Ex. M1 to M8 to prove that Petitioner work woman was engaged on year to year basis and her services were terminated at the end of financial year. She was only part time sweeperess as such, her allegation that she worked for full time is neither factual nor based on any material fact or documents produced by Petitioner workman. From the documents produced by the Respondent it is clear that Petitioner has made complaint against the management that she was beaten and abused on 12-4-2005 and made a complaint to the District Collector and the Police that she was beaten by Respondent management and their clerk Sri Suryanarayana. Document produced by Respondent prove that the engagement of the Petitioner was not renewed on 1-4-2005, hence, she made the complaint. The Respondent witness has proved these documents through his affidavit, he appeared for cross examination, but the witness of the management was not cross examined by concerned workman. Hence, the affidavit filed on behalf of the Respondent management has remained uncontraverted. This amply proves that the Petitioner workman was engaged as part time sweeperess upto 31-3-2005 and her services were not renewed after 31-3-2005 after her term of service expired, she was not terminated from the service by the management. Since the term of service expired on 31-3-2005, Petitioner workman was not entitled to claim reengagement or fresh engagement because her services were neither in permanent nature nor of temporary nature. She has not been able to prove that there was any permanent vacancy of sweeperess-cum-water man as such, non-renewal of her service from 1-4-2005 is neither unfair labour practice nor it is against the provisions of Industrial Disputes Act, 1947. She is not entitled for reinstatement or re-appointment. Point No.I and II decided accordingly. Hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 30th day of August, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner Witnesses examined for the Respondent

WW1 : Smt. Chavati Ramu MW1 : Sri M-V- Suryanarayana.

WW2 : Smt. Damaraju Lalitha

Documents marked for the Petitioner

Ex. W1 : Copy of representation to District Collector

Ex. W2 : Copy of complaint given at III Town Police Station

Ex. W3 : Copy of lawyer's notice dated 5-9-2005

Ex. W4 : Copy of reply to Ex. W3 dated 3-10-2005

Ex. W5 : Copy of FIR dated 12-5-2005

Documents marked for the Respondent

Ex. M1 : Copy of appointment letter of dated 2-4-96 of Statement V. Aruna Devi .

Ex. M2 : Copy of appointment letter of Smt. V. Aruna Kumari dated 1-4-98

Ex. M3 : Copy of appointment letter dated 3-4-99 addressed to the Petitioner

Ex. M4 : Copy of appointment letter dated 25-4-2000 addressed to the Petitioner

Ex. M5 : Copy of appointment letter dated 16-4-2001 addressed to the Petitioner

Ex. M6 : Copy of appointment letter dated 10-7-2001 addressed to the Petitioner

Ex. M7 : Copy of appointment letter dated 12-4-2002 addressed to the Petitioner

Ex. M8 : Copy of appointment letter dated 4-4-2003 addressed to the Petitioner

Ex. M9 : Copy of letter No. 52-A/11/21/2001-E-III dated 10-6-2003

Ex. M10 : Copy of appointment letter dated 5-4-2004 addressed to the Petitioner

Ex. M11 : Copy of acknowledgement for the complaint lodged at office of District Collector, Visakhapatnam

Ex. M12 : Office copy of the complaint mentioned in Ex.M11 by WW1 dated 26-4-2005

- Ex. M13 : Office copy of reply to Ex. W12 dated 26-4-2005
- Ex. M14 : Office copy of Ir No-52-A/11/21/96-VSP dated 26-4-2005
- Ex. M15 : Office copy of Ir No-52-A/11/21/96-VSP dated 16-5-2005
- Ex. M16 : Office copy of Ir No-52-A/11/21/96-VSP dated 9-9-2005
- Ex. M17 : Office copy of Ir No-52-A/11/21/96-VSP dated 7-10-2005
- Ex. M18 : Office copy of reply to legal notice of WW1 dated 3-10-2005

(खान सुरक्षा महानिदेशालय)

धनबाद, 13 दिसम्बर, 2010

का.आ. 3168.—मैं, सतीश पुरी, मुख्य खान निरीक्षक जिन्हें खान सुरक्षा महानिदेशक के रूप में भी पदनामित किया गया है, दिनांक 15-11-2009 को भारत के राजपत्र के सब-सेक्शन 2 सेक्शन 3, भाग 2, में प्रकाशित दिनांक 6-11-2009 (एस-29022/1/2009-सामान्य/3423) के का. आ. सं. 3177 के आंशिक संशोधन करते हुए एतद्वारा मध्य प्रदेश के सिंगरौली जिला को वाराणसी क्षेत्र के अन्तर्गत मिलाए जाने की घोषणा करता हूँ, जिसके संदर्भ में खान अधिनियम, 1952 की धारा 5 की उप-धारा 1 के तहत नियुक्त निरीक्षक अपनी शक्तियाँ का इस्तेमाल करेंगे, जो

उपरोक्त संदर्भित अधिसूचना में टाइपोग्राफिकल त्रुटि के कारण वंचित रह गया था।

[सं. एस-29022/1/2009-सामान्य/3008]

सतीश पुरी, मुख्य खान निरीक्षक एवं खान सुरक्षा महानिदेशक

(Directorate General of Mines Safety)

Dhanbad, the 13th December, 2010

S. O. 3168.—I, Satish Puri, Chief Inspector of Mines and also designated as Director-General of Mines Safety, under the powers conferred on me under sub-section 3 of Section 6 of the Mines Act, 1952, in partial modification of S.O.No. 3177 dated 6-11-2009 (S-29022/1/2009-Genl/3423), published in Part-II, Section 3, Sub-section (ii) of the Gazette of India dated 15-11-2009, hereby declare inclusion of Singrauli District of the State of Madhya Pradesh in the area of jurisdiction of Varanasi Region, with respect to which Inspectors appointed under Sub-section 1 of Section 5 of Mines Act, 1952, shall exercise their respective powers, which had erroneously been left due to typographical error, in the above referred notification.

[No. S-29022/1/2009-Genl/3008]

SATISH PURI, Chief Inspector of Mines & Director General of Mines Safety